



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

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—	अनुपूरक	—

1 अप्रैल, 2000/12 चैत्र, 1922 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं :—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
संख्या 3-14/99-ई० एल० एन०, दिनांक 24 मार्च, 2000.	निर्वाचन विभाग	भारत निर्वाचन आयोग के आदेश संख्या 76/हि० प्र० लो० स०/99(1), दिनांक 7 मार्च, 2000 का अंग्रेजी रूपान्तर सहित प्रकाशन।
संख्या 1-15/2000-वि० स०, दिनांक 29 मार्च, 2000.	हिमाचल प्रदेश विधान सभा सचिवालय	हिमाचल प्रदेश विनियोग (संख्याक 2) विधेयक, 2000 (2000 का विधेयक संख्याक 2) का हिमाचल प्रदेश विधान सभा में पुरस्थापित होने के पश्चात् प्रकाशन इसके अंग्रेजी रूपान्तर सहित।

भाग-1-वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि
हिमाचल प्रदेश हाई कोर्ट

Shimla-1, the 16th March, 2000

NOTIFICATIONS

Shimla-171 001, the 14/15th March, 2000

No. HHC/Admn. 16(18)96-5042.—Hon'ble the Chief Justice in exercise of the powers vested in him u/s 139(b) of the Code of Civil Procedure, 1908, u/s 297(b) of the Code of Criminal Procedure, 1973 and Rule 4(iv) of the H.P. Oath Commissioners (Appointment and Control) Rules, 1996, is pleased to appoint Shri Nargesh Negi, Advocate Nirmand as Oath Commissioner at Nirmand, District Kullu for a period of two years with immediate effect for administering Oaths and affirmations on affidavits to the deponents, under the aforesaid Codes and Rules.

By order,

Sd/-
Registrar General.

Shimla-1, the 15th March, 2000

No. HHC/GAZ/14-196/89-I-5031.—Hon'ble the Chief Justice is pleased to grant *ex post facto* sanction of 4 days commuted leave w. e. f. 29-2-2000 to 3-3-2000 in favour of Shri K. K. Sharma, Sub Judge-cum-Additional Chief Judicial Magistrate, Amb.

Certified that Shri Sharma is likely to join the same post and at the same station from where he proceeds on leave after expiry of the above period of leave.

Also certified that Shri Sharma, would have continued to hold the post of Sub Judge-cum-Additional Chief Judicial Magistrate, Amb, but for his proceeding on leave for the above period.

Shimla-1, the 16th March, 2000

No. HHC/GAZ/14-190/88-5195.—Hon'ble the Chief Justice is pleased to grant *ex-post-facto* sanction of 40 days earned leave w. e. f. 16-1-2000 to 24-2-2000 in favour of Shri K. P. Singh, Sub Judge-cum-Additional CJM, Jawali.

Certified that Shri K. P. Singh has joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Shri K. P. Singh would have continued to hold the post of Sub Judge-cum-Addl. CJM, Jawali, but for his proceeding on leave for the above period.

Shimla-1, the 16th March, 2000

No. HHC/GAZ/14-183/87-I-5187.—Hon'ble the Chief Justice is pleased to grant *ex-post-facto* sanction of 37 days earned leave w. e. f. 21-1-2000 to 26-2-2000 with permission to suffix Sunday and gazetted holidays falling on 27th and 28th February, 2000 in favour of Shri J. N. Yadav, Sub Judge-cum-Addl. CJM, Una.

Certified that Shri Yadav, has joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Shri Yadav would have continued to hold the post of Sub Judge-cum-Addl. CJM, Una, but for his proceeding on leave for the above period.

By order,

Sd/-
Registrar (Vigilance).

No. HHC/Admn./3(99)/75-I-5229.—The Hon'ble Chief Justice is pleased to sanction *ex-post-facto* 5 days commuted leave on and w. e. f. 6-3-2000 to 10-3-2000 with permission to prefix holidays falling on 4th/5th March, 2000 and to suffix holidays falling on 11th/12th March, 2000 in favour of Shri S. R. Attri, Additional Registrar (S) of this Court.

Certified that Shri S.R. Attri, Additional Registrar (S) has joined the same post and at the same station from where he had proceeded on leave after expiry of the above leave period.

Certified that Shri S.R. Attri, Additional Registrar (S) would have continued to hold the same post from where he proceeded on leave.

By order,

Sd/-
Registrar General.

Shimla-1, the 16th March, 2000

No. HHC/GAZ/14-53/74-III-5243-68 —The Hon'ble High Court is pleased to order the following transfers and postings of the members of the Himachal Pradesh Higher Judicial Service, in public interest:—

1. Shri M. S. Mandyal, presently President, District Consumer Forum, Shimla is recalled and posted as District and Sessions Judge, Solan, against a vacant post.
2. Shri D. D. Sharma, presently Registrar, H. P. State Consumer Disputes Redressal Commission, is recalled and posted as Additional District and Sessions Judge, Mandi, against a vacant post.

Both the aforesaid officers shall join their respective place of posting after being relieved from their present assignment immediately.

By order,

R. L. RAGHU,
Registrar General.

Shimla-1, the 16/18th March, 2000

HHC/GAZ/14-218/95-I-5288.—With reference to this Registry Notification No. HHC/GAZ/14-218/95-4958-73, dated 27-3-1999, the Hon'ble the Chief Justice is pleased to order that Shri G. L. Arora shall cease to hold the Office of Special Judicial Magistrate, Shimla on and from 2-4-2000 (afternoon).

Shimla-171 001, the 18th March, 2000

No. HHC/Admn. 16(22)75-I-5335.—Hon'ble the Chief Justice in exercise of the powers vested in him u/s 139 (b) of the Code of Civil Procedure, 1908, u/s 297(b) of the Code of Criminal Procedure, 1973 and Rule 4 of the Himachal Pradesh Oath Commissioners (Appointment and Control) Rules, 1996 is pleased to appoint Shri Subash Thakur and Shri Pritam Singh Kanwar, Advocates, Rajgarh, Himachal Pradesh as Oath Commissioners at Rajgarh for a period of two years with effect from 26-3-2000 for administering oath and affirmations on affidavits to the deponents under the aforesaid Codes and Rules.

By order,

Sd/-
Registrar General.

**HIMACHAL PRADESH STATE CONSUMER DIS-
PUTES REDRESSAL COMMISSION SHIMLA-9**
NOTIFICATION

Shimla-9, the 14th March, 2000

No. HP/CPC/1-93/2000-677-811.—It is hereby notified that the Hon'ble Mr. Justice Surinder Sarup has assumed the charge of the office of President, Himachal Pradesh State Consumer Disputes Redressal Commission in the afternoon of March 14, 2000 in pursuance of Notification No. FDS-B (2) 1/97-Part-II dated 13th March, 2000 issued by the Government of Himachal Pradesh, Department of Food and Supplies, Shimla-171002.

By order,

D. D. SHARMA,
Registrar.

हिमाचल प्रदेश सरकार
AGRICULTURE DEPARTMENT
NOTIFICATION

Shimla-171 002, the 22nd November, 1999

No. Agr. F (1)-9/99.—The Governor, Himachal Pradesh is pleased to constitute the Governing Board for the establishment of Agricultural Technology Management Agency (A.T.M.A.) in Bilaspur district for the implementation of National Agricultural Technology Project in the District as under:—

OFFICIAL MEMBERS ;

1. District Magistrate/Collector, Bilaspur.	<i>Chairman</i>
2. Addl. District Magistrate, Bilaspur	<i>Vice-Chairman.</i>
3. Deputy Director of Agriculture, Bilaspur	<i>Member.</i>
4. Scientist Incharge, HP Krishi Vishwa Vidyalaya, Research Sub-Station, Berthin, District Bilaspur.	<i>Member</i>
5. Lead Bank Officer, UCO Bank, Bilaspur.	<i>Member</i>
6. General Manager, District Industry Centre, Bilaspur.	<i>Member</i>
7. Area Manager, HIMFED, Bilaspur	<i>Member</i>
8. Secretary, Market Committee, Bilaspur.	<i>Member</i>

NON-OFFICIAL MEMBERS (To be nominated lateron) :

9. Representative of Farmers.	<i>Member</i>
10. A live Stock Producer	<i>Member</i>
11. A Horticulturist	<i>Member</i>
12. A representative of Women Farmer.	<i>Member</i>
13. A representative of SC/ST Farmer.	<i>Member</i>
14. Project Director, A.T.M.A.	<i>Member Secretary-cum-Treasurer</i>

The terms of non-official members shall be two years.

FUNCTION OF THE GOVERNING BOARD:

1. Review and approve strategic and annual works plans that are prepared and submitted to the Governing Board by the participating units.
2. Receive and review annual progress reports submitted by the participating units.
3. Provide feedback and direction to these participating units, as needed, about the various research and extension activities being carried out within the district.
4. Receive and allocate project funds to carry out priority research and extension related activity (e.g. organise farmers) within the district.
5. Foster the organisation and development of farmers interest group (FIGS) and farmers organisations (FOs) within the district.
6. Facilitate the greater involvement of private sector Firms and organisations in providing inputs, technical support, agro-processing and marketing services to farmers.
7. Encourage 'Agriculture' Landing institution to increase the availability of capital to resource poor and marginal farmers especially SC/ST and women farmers.
8. Encourage each line department, plus the KVKs and IRS, to establish farmers advisory committee to provide feed back and input into the respective research and extension programme.
9. Enter into contracts and agreement as a appropriate to promote and support Agriculture development activities within the district.
10. Identify other sources of financial support that would help ensure the financial sustainability of the ATMA and its participating units.
11. Establish revolving funds/accounts for each participating unit and encourage each unit to make available technical services such as artificial insemination or soil testing, on a cost recovery basis moving toward full cost recovery in a phased manner.
12. Arrange for the periodic audit of ATMAs financial accounts and
13. Adopt and amend the rules and by-laws of the ATMA.

The TA and DA of the non official members shall be notified separately.

By Order,

YOGESH KHANNA,
F.C.-cum-Secretary.

आबकारी एवं कराधान विभाग

अधिसूचनाएं

शिमला-2, 26 फरवरी, 2000

संख्या 11-35/74-ई0 एण्ड टी0 (लूज).—हिमाचल प्रदेश के राज्यपाल, प्रथम नवम्बर, 1966 के तुरन्त पूर्व हिमाचल प्रदेश के समाविष्ट क्षेत्रों को यथा लागू और पंजाब पुनर्गठन अधिनियम, 1966 की धारा-5 के अधीन हिमाचल प्रदेश में जोड़े गए क्षेत्रों में यथा प्रवृत्त पंजाब आबकारी अधिनियम, 1914 (1914 का 1) की धारा 56 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कमान अधिकारी 5 डीग्रा माफत 56 ए0 पी0 ओ0 एल0-9 लाईसेंस के पक्ष में दिनांक 01 मार्च, 2000 से 03 मार्च, 2000 तक मनाए जाने वाले यूनिट के स्थापना दिवस में प्रयोग की जाने वाली मदिरा पर से आबकारी शुल्क एवं निर्धारित फीस

मू० 9353/- रुपये (नौ हजार तीन सौ तिरपन रुपये) बनती है पर से छूट प्रदान करने के सहर्ष आदेश देते हैं। इस विभाग द्वारा जारी की गई समसंख्यक अधिसूचना दिनांक 3-2-2000 को रद्द किया जाता है।

Shimla 2, the 21st March, 2000

No. 11-35/74-E and T-Loose.—In exercise of powers conferred by Section 56 of the Punjab Excise Act, 1914 (1 of 1914), as applicable in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 in the areas comprised in Himachal Pradesh immediately before 1st November, 1966, the Governor, Himachal Pradesh is pleased to grant the exemption in Excise duty and Assessed fees amounting to Rs. 1059/- (Rs. One Thousand and Fifty Nine only) for celebrating 7th reunion on 28-3-2000 in favour of Officer Commanding, 36 Sector OMP, C/o 56 A. P. O.

शिमला-2, 22 मार्च, 2000

संख्या 11-35/74-ई० एण्ड टी०.—हिमाचल प्रदेश के राज्यपाल, प्रथम नवम्बर, 1966 के तुरन्त पूर्व हिमाचल प्रदेश के समाविष्ट क्षेत्रों को यथा लागू और पंजाब पुनर्गठन अधिनियम, 1966 की धारा 5 के अधीन हिमाचल प्रदेश में जोड़े गए क्षेत्रों में यथा प्रवृत्त पंजाब आबकारी अधिनियम, 1914 (1914 का 1) की धारा 56 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कमान अधिकारी, 39 एम० टी० एन० डी० आर्बिनेस मार्फत 56 ए० पी० ओ० के पक्ष में 1-8-2000 से 31-3-2001 तक मनाए जाने वाले स्थापना दिवस में प्रयोग की जाने वाली मदिरा पर से आबकारी शुल्क एवं निर्धारित फीस मू० 9697/- रुपए (नौ हजार छः सौ और सत्तानवे केवल) बनती है पर से छूट प्रदान करने के सहर्ष आदेश देते हैं। इस विभाग द्वारा जारी की गई समसंख्यक अधिसूचना दिनांक 16-8-1999 को रद्द किया जाता है।

आदेश द्वारा,

हस्ताक्षरित/-
वित्तायुक्त एवं सचिव।

वित्त विभाग
(कोष तथा लेखा संगठन)

अधिसूचना

शिमला-9, 9 मार्च, 2000

संख्या फिन० (टी० आर०) वी० (4)-14/79.—राज्यपाल, हिमाचल प्रदेश सहर्ष आदेश देते हैं कि श्री राम गोपाल शोरी, संयुक्त नियन्त्रक (वित्त एवं लेखा) राजपत्रित श्रेणी-1 जो इस समय अतिरिक्त निदेशक ग्रहणी ग्रामीण विभाग शिमला-9 में कार्यरत है, राजकीय सेवा से वार्धक्य आयु प्राप्त करने पर दिनांक 31-3-2000 (वाद दोपहर) सेवा निवृत्त होंगे।

योगेश खन्ना,
वित्तायुक्त एवं सचिव (वित्त)।

GENERAL ADMINISTRATION DEPARTMENT

(E-Section)

NOTIFICATIONS

Shimla-171002, the 2nd November, 1999

No. GAD-E(C)8-1/99.—The Governor, Himachal Pradesh is pleased to constitute a Committee for the Administration/Management of Chief Minister's Sainik Welfare Fund, Himachal Pradesh instituted for the Wel-

fare of the families of the Soldiers belonging to the State of Himachal Pradesh who suffered casualties and those soldiers who sustained injuries and have become disabled in "Operation Vijay", which shall be as under :—

- | | |
|---|---------------------|
| 1. Chief Minister, Himachal Pradesh | Chairman |
| 2. Shri Atma Ram, M. L. A. (Retd. Capt). Set No. 404, Pt. Nehru Vidhayak Sadan, Shimla-171004. | Non-Official Member |
| 3. Shri Jai Krishan Sharma, M. L. A. 502, Metropole, Shimla-171001. | -do- |
| 4. Sub. Major (Hony. Capt). Retd. Baldev Singh Chauhan, V. P. O. Bhadarwar, Tehsil Sarkaghat, District Mandi, Himachal Pradesh. | -do- |
| 5. Brig. Jaswant Singh Pathania (Retd.) Village Thakur Dwara Housing Colony, P. O. Meranda Palampur, District Kangra, Himachal Pradesh. | -do- |
| 6. Chief Secretary to the Government of Himachal Pradesh. | Ex-Officio Member. |
| 7. F. C.-cum-Secretary (Finance) Government of Himachal Pradesh. | -do- |
| 8. Commissioner-cum-Secretary(GAD) to the Government of Himachal Pradesh. | -do- |
| 9. Director, Sainik Welfare Himachal Pradesh. | Special Invitee. |
| 10. Officer-in Charge (Monitoring Cell) | Member-Secretary. |

1. OBJECTIVE OF THE FUNDS :

The Fund will be utilised :

- (a) For the Welfare of the families of the Soldiers belonging to the State of Himachal Pradesh who suffered casualties and those Soldiers who sustained injuries and have become disabled in "OPERATION VIJAY".

2. DURATION OF THE COMMITTEE :

The term of the nominated members of the Committee shall be two years in first instance. If any member may resign office by a letter addressed to the Chairman, and such resignation shall take effect from the date it is accepted by the Chairman.

- (b) If a non-official member resigns his membership from the Committee and post lying vacant. The Chairman of the Committee have the power to nominate other member in the Committee.

3. MEETING:

- (a) The Committee shall meet atleast once in a period of three months but the Chairman shall have the power to convene the meeting at a short notice whenever he considers it to be necessary and expedient.
- (b) In the work to be transacted by the Committee the opinion of the majority shall prevail and in the event of tie, the Chairman shall have deciding casting vote.
- (c) Every meeting of the Committee shall be presided over by the Chairman and in his absence by any member nominated by the Chairman.

4. QUORUM :

Four members including the Chairman shall form the quorum

5. FINANCE POWERS :

- (a) The Committee shall have powers to utilise the fund to achieve its objective.
- (b) The Committee shall have power to decide the financial assistance on the merit in each case.

- (c) Out of this Fund, the Member-Secretary shall be authorised to incur the expenditure of contingent nature upto Rs. 5,000/- per case subject to the approval of the Chairman.

6. Transaction of Fund of Chief Minister's Sainik Welfare will be made by Committee as per Rules attached as Annexure "A" to this notification.

7. The terms and conditions regulating the TA/DA in respect of non-official members of the Committee are enclosed as Annexure "B" to this notification. Expenditure incurred on account of the TA/DA in respect of non-official members of the Committee shall be debited in Major Head of account "2052-Sectt. Administration Services" and the Joint Secretary/ Dy. Secretary/Under Secretary (SA-Accts.) will be the Controlling Officer.

By order,

Sd/-
Commissioner-cum-Secretary (GAD).

ANNEXURE-"A"

RULES FOR THE ADMINISTRATION/MANAGEMENT OF CHIEF MINISTER'S SAINIK WELFARE FUND, HIMACHAL PRADESH

Short title Extent and Commencement :

These rules may be called Rules for the Administration of the "Chief Minister's Sainik Welfare Fund".

2. Definition :

- (a) State means State Government of Himachal Pradesh.
- (b) Committee The Word "Committee" used in these rules shall mean the Himachal Pradesh Chief Minister's Sainik Welfare Fund, Committee constituted by Himachal Pradesh Government.
- (c) Family.—The expression "Family" used in these rules includes wife, husband, Children and parent.
- (d) Soldiers.—will include all ranks of the Defence Forces.

3. Objective of the Fund :

The fund will be utilised:—

- (a) For the Welfare of the families of the Soldiers belonging to the State of Himachal Pradesh who suffered casualties and those Soldiers who sustained injuries and have become disabled in "Operation Vijay" between May, 1999 and August, 1999.
- (b) Provision of financial and material support for pursuing post graduation/vocational courses to the widowed spouse/ children of soldiers killed in operation.
- (c) Rehabilitation of the next of kin of the deceased/disabled soliders.
- (d) Financial assistance to soliders killed/wounded in the course of performance of their duties will be over and above financial help rendered by any institution including Central Government.
- (e) For providing artificial limbs to the disabled soldiers.
- (f) To pay the premium for Medical claim Group insurance Policy for the family members of the martyrs and those disabled.
- (g) Payment of honorarium to the staff appointed for the maintenance of the fund as may be decided by the Committee from time to time.
- (h) Any other purpose specifically held by the Committee to be for the benefit of these soldiers or their families.

4. Source of Fund :

- (a) Grant-in-aid from the Central or State Government.
- (b) Direct contribution from Institution/individuals.
- (c) Interest received on deposits or any other contribution received from any source as may be deemed appropriate by the Committee.

5. Tenure:

- (a) The term of the nominated members of the Committee shall be two years.
- (b) During his term if any member dies or is desirous of being discharged from or refuses or becomes unfit or personally incapable to act in the Committee then in every such case, the committee may nominate, for the remaining term, any persons to be member in place of such member.

6. Conduct of Business :

- (a) The Committee shall meet atleast once in a period of three months but the Chairman shall have the power to convene the meeting at a short notice whenever he considers it to be necessary and expedient.
- (b) In the work to be transacted by the said Committee the opinion of the majority shall prevail and in the event of tie, the Chairman shall have deciding casting vote.
- (c) Every meeting of the Committee shall be presided over by the Chairman and in his absence by any member nominated by the Chairman.
- (d) In exceptional cases, the Chairman will have the power to approve required relief to the eligible beneficiary subject to subsequent ratification by the Committee by calling a meeting or by circulation.
- (e) The Chairman shall have the power to invite any person or persons not being members of the Committee to attend any meeting of the Committee, but all such special invitee/invitees shall not be entitled to vote at the meeting.
- (f) A member of the Committee shall cease to be such member if he/she, (a) dies, (b) resigns from membership, (c) becomes of unsound mind, (d) becomes insolvent, (e) is convicted of a criminal offence involving moral turpitude, (f) fails to attend three consecutive meetings of the Committee without leave from the Chairman.
- (g) A Member of the Committee, other than an *ex-officio* member, may resign his office by a letter addressed to the Chairman and such resignation shall take effect from the date it is accepted by the Chairman.

7. Quorum :

Four members including the Chairman shall form the quorum.

8. Financial Powers :

- (a) The Committee shall have powers to utilise the fund to achieve its objective.
- (b) The Committee shall have power to decide the financial assistance on the merit in each case.
- (c) Out of this Fund, the Member-Secretary shall be authorised to incur an expenditure of contingent nature upto Rs. 5,000/- per case subject to the approval of the Chairman.

9. Operation of Accounts :

- (a) The bank account of the fund will be opened in H. P. S a e Co-operative Bank in the name of "Himachal Pradesh Chief Minister's Sainik

Welfare Fund" and shall be operated by any of the two members of the following :—

1. Chief Secretary to the Government of Himachal Pradesh.
2. Secretary (GAD) to the Government of Himachal Pradesh.
3. Member secretary of the Committee.

- (b) All contributions to this fund will be received by the Member-Secretary or any other officer specially authorised in this behalf by the Committee. A formal receipt in respect of all such receipts will be issued by the receiving officer.
- (c) The Member Secretary of the Committee or any other officer specially authorised shall maintain complete accounts of receipts, investments, expenditure on behalf of the Committee. This amount will be duly audited with all necessary vouchers once in a year by the Examiner, Local Fund Accounts, Himachal Pradesh.
- (d) Surplus amount in the fund which is not immediately required may be kept in fixed deposit account or invested in approved securities with the permission of the Committee.

10. Application Form :

- (a) Application for the grant of assistance from this fund will be made in the prescribed form. The printed form will be obtainable from the Office of the Deputy Commissioner/ District Sainik Welfare Officer, Himachal Pradesh.
- (b) The Deputy Commissioner concerned on receipt of the application will examine such application with regards to genuineness of the request and forward the same to the Member-Secretary within 7 days with a copy of the same to the Director, Sainik Welfare.
- (c) The Member-Secretary of the Committee, on receipt of the application duly verified by the Deputy Commissioner will place it before the Committee for final decision.

11. Enabling Clause:

Depending on the availability of funds, the Committee may decide which of the objective of the fund it proposes to pursue. It may also other specific measures for direct benefit to the persons covered under these rules if deemed appropriate from time to time.

ANNEXURE—B

ENTITLEMENTS OF T. A. AND D. A. TO NON-OFFICIAL MEMBERS

1. TRAVELLING ALLOWANCE :

(i) *Journey by Rail*.—They will be treated at par with Government servants of the first grade, and will be entitled to actual rail fare of the class of accommodation actually used but not exceeding the fare in which the Government servant of the first grade are normally entitled, i. e. accommodation of the highest class by whatever name it may be called provided in the railway by which the journey is performed.

(ii) *Journey by Road*.—They will be entitled to actual fare for travelling by taking single seat in a public bus, and if the journey is performed by motor cycle/scooter mileage allowance at the rate of Rs. 1.00 per k.m. for journey performed outside Himachal Pradesh and Rs. 1.20 per k.m. in respect of journey performed within Himachal Pradesh or if the journey is performed by full taxi/own car, the member will be entitled to mileage allowance at the rate of Rs. 3.50 per k.m. in respect of journey performed within Himachal Pradesh and Rs. 3.00 per k.m. for the journey performed outside Himachal Pradesh.

(iii) In addition to the actual fare of mileage as per item (i) and (ii) above a member shall draw daily

allowance for the entire absence from his permanent place of residence beginning with the departure from the place and ending with return to that place, at the same rates subject to the same terms and conditions as apply to grade-I Officers of the State Government.

2. DAILY ALLOWANCE :

Non official members will be entitled to draw daily allowance for each day of the meeting at the rate of Rs. 120/- for attending deliberations of state level committee. Non-official members attending meetings of other committees (which are not state level) will be entitled to daily allowance at the same rate admissible to Grade- I Officers of the State Government.

(ii) In addition to daily allowance for the day (s) of the meetings, a member shall also be entitled to daily allowance for halt on tour out station in connection with the affairs of committee as under :—

- (a) If the absence from Headquarters does not exceed six hours .. Nil.
- (b) If the absence from Headquarters exceeds six hours but does not exceed 12 hours 70%.
- (c) If the absence from headquarters exceed 12 hours .. Full.

3. CONVEYANCE ALLOWANCE :

A member, resident at a place where the meeting of the Committee is held will not be entitled to travelling and daily allowance on the scale indicated above but will be allowed only the actual cost of conveyance hired subject to a maximum of Rs. 20.00 per day. Before the claim is actually paid for, the controlling officer should verify the claim and satisfy himself after obtaining such details as may be considered necessary, that the actual expenditure was not less than the amount claimed.

If such a member used his own car, for local journey in connection with the purpose mentioned above he will be granted mileage allowance at the rates admissible to officers of the first grade subject to a maximum of Rs. 20.00 per day.

4. The members will be eligible for travelling allowance for the journey actually performed in connection with the meeting of the Committee from and to the places of their permanent residence to attend the meeting of the Committee or return to the place other than the place of his permanent residence after the termination of the meeting. Travelling allowance shall be worked out on the basis of the distance actually travelled or the distance between the place of permanent residence and the venue of the meeting whichever is less.

5. *Member of the Vidhan Sabha*.—The non-official members who are members of the Vidhan Sabha shall be entitled to TA/ DA in respect of journeys performed in connection with the work of the committee on the scale as is admissible to them under the salaries and allowances of Members of Legislative Assembly.

6. The members will not be entitled to daily allowance in connection with their assignment when the Vidhan Sabha or the Vidhan Sabha committee on which the members are serving is in session as they will be drawing their daily allowance under the Salaries and Allowances of Members of the Legislative Assembly Himachal Pradesh Act, 1971, from the Vidhan Sabha. However, if they certify that they were prevented from attending the session of the House or the Vidhan Sabha, Committee and did not draw any daily allowance from Vidhan Sabha they would be entitled to daily allowance at the rates as prescribed:

Provided that claims on account of travelling, halting and incidental allowances of members for attending the meeting of the Committees appointed by the Government shall be paid after these have been countersigned by the Secretary, Vidhan Sabha for encashment.

7. The provision of rules 4, 17 & 6.1 of the Himachal Pradesh Treasury Rules will apply *mutatis* in the case of overpayment made on account of Travelling Allowance to non-official members.

The members will also not draw TA and DA including conveyance allowance which will disqualify them from the Vidhan Sabha.

8. OFFICIAL MEMBERS:

The official members shall be entitled to the travelling and daily allowance admissible to them according to the rules governing them.

(D-Section)

Shimla-171002, the 19th November, 1999

No. GAD-D-7(G)-1-18/92.—In continuation to this Department Notification of even No. dt. 5-8-1999, the Governor, Himachal Pradesh is pleased to order that the facility of staying in Rest Houses in the State may also be given to the Freedom Fighters of Himachal Pradesh on the analogy of retired Government servant, former MLA's and MP's of the State hence forth on payment of similar charges.

(B-Section)

Shimla-171002, the 24th November, 1999

No. GAB-2B(1)-3/99.—In exercise of the powers conferred by sub-section (2) of section of the Census Act, 1948 (Act No. 37 of 1948) as amended in 1974 & 1993, the Governor of Himachal Pradesh is pleased to appoint the following officers as Principal Census Officers/District Census Officers/Special Census Officers/Additional District Census Officers to take or aid in, or supervise the taking of the Census within the limits of their respective jurisdiction with immediate effect:

(i) Principal Census Officers:

1. Deputy Commissioner, Chamba District.
2. Deputy Commissioner, Kangra District.
3. Deputy Commissioner, Hamirpur District.
4. Deputy Commissioner, Una District.
5. Deputy Commissioner, Mandi District.
6. Deputy Commissioner, Kullu District.
7. Deputy Commissioner, Lahaul and Spiti District.
8. Deputy Commissioner, Bilaspur District.
9. Deputy Commissioner, Shimla District.
10. Deputy Commissioner, Solan District.
11. Deputy Commissioner, Sirmour District.
12. Deputy Commissioner, Kinnaur District.
13. Commissioner, Municipal Corporation, Shimla.

(ii) District Census Officers:

1. Additional District Magistrate, Chamba District.
2. Additional District Magistrate, Kangra District.
3. Additional District Magistrate, Hamirpur District.
4. Additional District Magistrate, Una District.
5. Additional District Magistrate, Mandi District.
6. Additional District Magistrate, Kullu District.
7. Additional District Magistrate, Bilaspur District.
8. Assistant Commissioner to Deputy Commissioner, Lahaul & Spiti District.
9. Additional District Magistrate, Shimla District.
10. Additional District Magistrate, Solan District.
11. Additional District Magistrate, Sirmour District.
12. Assistant Commissioner to Deputy Commissioner, Kinnaur District.
13. Assistant Commissioner, Municipal Corporation Shimla-1.

(iii) Special Census Officers:

1. Resident Commissioner Pangti for Pangti sub-Division.
2. Additional Deputy Commissioner Kaza for Spiti Sub-Division.

(iv) Additional District Census Officers:

1. District Revenue Officer, Chamba District.
2. District Revenue Officer, Kangra District.
3. District Revenue Officer, Hamirpur District.
4. District Revenue Officer, Una District.
5. District Revenue Officer, Mandi District.
6. District Revenue Officer, Kullu District.
7. District Revenue Officer, Bilaspur District.
8. District Revenue Officer, Shimla District.
9. District Revenue Officer, Solan District.
10. District Revenue Officer, Sirmour District.

(v) The Governor of Himachal Pradesh is further pleased to appoint all sub-Divisional Officers (Civil) as sub-Divisional Census Officers within the limits of their jurisdiction with immediate effect.

(B-Section)

Shimla-171002 the 24th November, 1999

No. GAB-2B (1)-3/99.—In pursuance of sub-section 3 of section 4 of the Census Act, 1948 (Act No. 37 of 1948) & as amended in 1974 & 1993 the Governor of Himachal Pradesh hereby authorises the following authorities to issue and sign the declaration in writing as contemplated by the said sub-section in respect of all Census Officers mentioned below for any local area within their respective jurisdiction:—

- | | |
|---|--|
| 1. Director Census Operations Himachal Pradesh, Shimla. | Charge Officers & Assistant Charge Officers. |
| 2. Deputy Directors of Census operations, Himachal Pradesh Shimla. | |
| 3. Assistant Directors of Census operations Himachal Pradesh, Shimla. | |
| 4. All Principal Census Officers in Himachal Pradesh. | |
| 5. All District Census Officers in Himachal Pradesh. | |
| 6. All the Special Census Officers in Himachal Pradesh. | |
| 1. Director of Census operations, Himachal Pradesh, Shimla. | Circle Supervisors and Block enumerators. |
| 2. Deputy Directors of Census operations, Himachal Pradesh, Shimla. | |
| 3. Assistant Directors of Census operations Himachal Pradesh, Shimla. | |
| 4. All the Principal Census Officers in Himachal Pradesh. | |
| 5. All district Census Officers in Himachal Pradesh. | |
| 6. All Sub-Divisional Census Officers in Himachal Pradesh. | |

The forms of appointment orders are appended as Annexures I and II.

ANNEXURE-I

FORM OF APPOINTMENT OF CHARGE OFFICERS/ASSISTANT CHARGE OFFICERS:

ORDER

In exercise of the powers delegated to me by the Government of Himachal Pradesh under sub-section (4) of section (4) of the Census Act, 1948, 1974 & 1993 by virtue of General Administration Department, Government of Himachal Pradesh.

No....

District Census Officer
as charge/Assistant Charge Officer of the Charge described @

Office Seal.

(Signature and date)

i.e. Here mention the ordinary designation of the Officer such as Tehsildar..... executive officer etc., and not the name of officer.

@ Here describe the charge as in the examples, below:—

1. Tehsil.....excluding..... Municipality/Cantonment Board.
2. Tehsil.....including Notified area Committee.
3. Municipality .
4. Cantonment Board, excluding Military Area.
5. Cantonment Board/ Military Area.

ANNEXURE II

FORM OF ORDER OF APPOINTMENT OF SUPERVISORS/ENUMERATORS

ORDER

In exercise of the powers delegated to me by the Government of Himachal Pradesh under sub-section (4) of section 4 of the Census Act, 1948, 1974 & 1993 by virtue of General Administration Department Government of Himachal Pradesh Notification No. I do hereby appoint as Supervisor of Supervisory Circle No. Enumerator Block No. comprising of village (s) ward. Code No. (s) Tehsil/Town.

Under section 5 of the Indian Census Act, 1948 (xxxvii) you are deemed by virtue of this appointment a public servant within the meaning of the Indian Penal Code (XLV of 1860). Your attention is drawn to section II of the Census Act, 1948, which is reproduced below:—

Date..... Signature and Designation.

Section II of the Census Act, 1948 (xxxvii of 1948)

1. (a) Any Census Officer or any person lawfully required to give assistance towards the taking of Census who refuses or neglects to use reasonable diligence in performing any duty imposed upon him or in obeying any order issued to him in accordance with this Act or any rule made thereunder, or any person who hinders or obstructs another person in performing any such duty or in obeying any such order, or

(b) any Census Officer who intentionally puts any offensive or improper question or knowingly makes any false return or, without the previous sanction of the Central Government or the state Government discloses any information which he has received by means of, or for the purpose of, a census return, or

(c) any sorter, compiler or other member of the Census staff who removes secrets, damages or destroys any Census documents or deals with any Census document in a manner likely to falsify or impair the tabulations Census results, or

(d) any person who intentionally gives a false answer to or refuses to answer to the best of his knowledge or belief any question asked of him by a Census officer which he is legally bound by section 8 to answer, or

(e) Any person occupying any house, enclosure, vessel or other place who refuses to allow a Census Officer such reasonable access there to as he is required by section 9 to allow, or

(f) Any person who removes, obliterates, alters, or damages any letters, marks or numbers which have been painted or affixed for the purpose of the census, or

(g) Any person who, having been required under section 10 to fill up a schedule, knowingly and without

sufficient cause fails to comply with the provisions of the section, or makes any false return thereunder ; or

(h) Any person who trespasses, into a Census Office shall be punishable with the fine which may extend to one thousand rupees and in case of a conviction under Part (b) or (c) shall also be punishable with imprisonment which may extend to six months.

2. Whosoever abets any offence under sub-section (1) shall be punishable with fine which may extend to one thousand rupees".

A. K. GOSWAMI

Chief Secretary,
to the Government of
Himachal Pradesh.

(D-Section)

Shimla-171002, the 22nd December, 1999

No. GAD-D(7) (G)1-48/99.—The Governor of Himachal Pradesh is pleased to order that Himachal Sadan New Delhi will be run under the supervision and control of M. D. HPTDC with effect from 15-7-1999 on the following terms and conditions :—

1. Himachal Sadan New Delhi will be run as State Guest House and as a distinct entity with its own accounts/accounts books and assets and liabilities /income and expenditure . All such assets and liabilities/income and expenditure will be of Himachal Pradesh Government.
2. Himachal Pradesh Tourism Development Corporation Ltd. will deploy Managers/staff etc. as may be required. Such staff will get the same pay and another benefits had they been posted in H. P. T. D. C. unit.
3. The rates of accommodation auditorium conference Hall charges etc. and also of food and other services will be fixed by the Government. Reservation will also continue to be controlled by the state Government in the General Administration Department.
4. The instruction with regard to the difference between income and expenditure shall be issued later on in continuation to this Notification.
5. The Managing Director, H. P. T. D. C. will have the same financial and administrative powers in respect of Himachal Sadan, New Delhi as exercised by him in H. P. T. D. C. in its unit.
6. The accounts of Himachal Sadan New Delhi will be audited by the auditors appointed by H. P. T. D. C.
7. The General Administration department of the State Government will be the Administrative Department for Himachal Sadan.
8. All necessary repairs and maintenance addition and alterations, improvements etc, of Himachal Sadan, New Delhi will be carried out by the H. P. T. D. C. and P. W. D. as is being carried in Himachal Bhawan.
9. All the rules and regulations applicable in respect of Himachal Bhawan will also be applicable in respect of Himachal Sadan and instructions already issued in respect of Himachal Bhawan shall be issued in future will also be applicable for Himachal Sadan.
10. This issues with the prior approval/concurrence of Finance Department vide their Dy. No. 1052, dated 12-10-99 [Fin (C) A (9) -2/97].

(E—SECTION)

Shimla-171002, 2nd February, 2000

No GAD-E (C) 8-1/99.—In continuation to this department notification of even number dated 2nd November, 1999 regarding constituting a committee for the Administration/Management of Chief Minister's Sainik Welfare Fund, the Governor, Himachal Pradesh, is pleased to order to insert the following as 'b' at Sr. No. 1, after (a) titled as "OBJECTIVE OF THE FUNDS".

"For the welfare of the families of the soldiers belonging to State of Himachal Pradesh who suffered casualties and those soldiers who sustained injuries and have become disabled in all the military operations occurring after 1-5-1999".

The Governor, Himachal Pradesh is further pleased to order to insert the above said provision after 'a' as ('a' a) in the section 3 of the Rules for the Administration Management of Chief Minister's Sainik Welfare Fund, annexed as 'A' in this Department Notification of even number dated 2nd November, 1999.

By order,

Sd/-

Commissioner-cum-Secretary (GAD).

HOME DEPARTMENT

NOTIFICATIONS

Shimla-171002, the 26th November, 1999

No. Home-B (B) 9-1/87.—The Governor, Himachal Pradesh, on the recommendations of the Departmental Promotion Committee, is pleased to order the confirmation of Shri P. M. Negi against the Class-I post of Assistant Advocate General in the office of Advocate General, Himachal Pradesh in the pay scale of Rs. 13500—16800 with effect from 21-10-1996.

By order,

AJAY PRASAD,

Financial Commissioner-cum-Secretary.

Shimla-2, the 27th November, 1999

No. Home-D (B-2)-14/86-9.—The Governor, Himachal Pradesh is pleased to order to grant relaxation in sub-rule (1) (b) of Rule-6 of Himachal Pradesh Police Service Rules, 1973 concerning educational qualification from B.A. to matric in favour of the following confirmed Inspectors of Police to consider them for further promotion as HPPS:—

Sl. No.	Name of Officer	Educational qualification
1	2	3
S/Shri :		
1.	Uttam Chand	9th (HC. as—confirmed on 14-7-93, prior to amendment in Rules).
2.	Rai Singh	Matric
3.	Hardesh Bist	F.A.
4.	Rikpa Giacho	Matric
5.	Bhajan Singh	Matric
6.	Bir Singh	Hr. Sec.
7.	Dhanu Ram	Hr. Sec.
8.	Harwant Singh	Matric
9.	Prem Chand	Matric
10.	Hari Chand	Hr. Sec.
11.	Jaram Singh	Matric
12.	Phool Parkash	Matric
13.	Lekh Ram	Matric
14.	Fauji Ram	PUC
15.	Diwan Chand	Matric
16.	Kahan Singh	Matric

1	2	3
17.	Partap Singh	Matric
18.	Nehar Singh	Matric
19.	Siri Ram	Matric
20.	Sher Singh	Matric
21.	Man Singh	Matric
22.	Karnail Singh	Matric
23.	Om Parkash	Matric
24.	Prem Singh	Matric
25.	Hcm Chand	Matric
26.	Kashmir Singh	Matric
27.	Sukh Dev	Hr. Sec.
28.	Kishan Chand	Hr. Sec.

By order,

Sd/-

F.C.-cum-Secretary (Home).

Shimla-2, the 29th November, 1999

No. Home-D (B-6)-2/99 (Part file).—The Governor, Himachal Pradesh is pleased to order transfer and postings of the following IPS Officers with immediate effect in public interest:—

1. Shri D. P. Sharma, ips (HP-89) S.P. Una is transferred and posted as Commandant 2nd Bn., Dharamshala vice Shri Rithwik Rudra.
2. Shri Rithwik Rudra, ips (HP-93) Commandant 2nd. Bn., Dharamshala is transferred and posted as S.P. Una vice Shri D. P. Sharma.

Shimla-171002, the 29th November, 1999

No. Home-D (B-2)-1/98.—The Governor, Himachal Pradesh is pleased to place the services of Shri B. Kamal Kumar, ips (HP-81), D.I.G. (Enforcement), Shimla at the disposal of Government of India for his appointment as Deputy Director in the Intelligence Bureau, MHA, New Delhi on Central Deputation basis for a period of five years from the date of assumption of charge of the post in the Pay Scale of Rs. 16400—20000 or until further orders whichever is earlier, on the usual terms and conditions.

2. The Governor, Himachal Pradesh, is further pleased to relieve Shri B. Kamal Kumar, ips (HP-81), D.I.G. (Enforcement), Shimla of his duties w.e.f. 30-11-1999 (A.N.) with the directions to report for duty at the New place of posting under intimation to the State Government immediately.

By order,

A. K. GOSWAMI,
Chief Secretary.

Shimla-2, the 10th December, 1999

No. Home-D (B-6)-1/98.—In partial modification of this Department notification of even number dated 29-11-99, the Governor, Himachal Pradesh is pleased to order transfer and posting of the following HPPS Officers with immediate effect in public interest:—

1. Shri Saju Ram, Dy. S.P. who is under orders of transfer and posting as Dy. S.P., IRB, Una is now posted as Dy. S.P. 2nd Bn., Dharamshala against vacant post.
2. Shri Bimal Gupta, Dy. S.P. (HQ), Solan is transferred and posted as Dy. S.P. (LR), Una vice Shri Madhu Sudan.
3. Shri Madhu Sudan, Dy. S.P. (LR), Una is transferred and posted as Dy. S.P. (HQ), Solan vice Shri Bimal Gupta.

By order,

Sd/-

Chief Secretary.

Shimla-171002, the 15th December, 1999

No. LLR-B (6)-1/86-II.—The Governor, Himachal Pradesh, is pleased to cancel the transfer orders of S/Shri Satish Kaushal, Deputy District Attorney, Shimla and Shri Bheem Singh Pathania, Deputy District Attorney, Dharamshala, issued vide this department Notification No. of even number, dated 9th July, 1999, in public interest, with immediate effect.

Shimla-2, the 21st December, 1999

No. LLR-B(2)-1/94-II.—The Governor, Himachal Pradesh, on the recommendations of Departmental Promotion Committee, is pleased to promote Shri Raghubir Singh, Deputy District Attorney, to the post of District Attorney (Class-I) in the pay scale of Rs. 10025-275-10300-340-12000-375-13500-400-15100 with immediate effect.

2. Above promotion shall be subject to final decision of O. A. No. 227/1999—titled as Shanti Swarup Bhatti versus State of H. P. and others.

By order,

AJAY PRASAD,
Financial Commissioner-cum-Secretary.

Shimla-2, the 23rd December, 1999

No. Home-D(B-6)-2/99-Part file.—The Governor, Himachal Pradesh is pleased to order transfer and posting of the following Dy. SPs. with immediate effect in public interest :—

1. Shri Sukh Dev, Dy. S. P. IRB, Una is transferred and posted as DSP, HPAP, 3rd Bn. Pandoh against vacant post.
2. Shri Kishan Chand, DSP (LR) PHQ, Shimla is transferred and posted as DSP 3rd Bn. Pandoh vice Shri Kuldeep Chand.
3. Shri Santokh Singh, DSP, PTC, Daroh, District Kangra is transferred and posted as DSP IRB, Una vice Shri Sukh Dev.
4. Shri Kuldeep Chand, DSP, HPAP, 3rd Bn. Pandoh is transferred and posted as DSP PTC, Daroh, District Kangra vice Shri Santokh Singh.

By order,

A. K. GOSWAMI,
Chief Secretary.

Shimla-2 the 5th January, 2000

No. LLR-B(14)-2/86-III.—The Governor, Himachal Pradesh is pleased to order the transfers/postings/adjustments of the following Assistant District Attorneys in public interest, with immediate effect :—

Sl. No.	Name of the Officer	From	To
1	2	3	4
1.	S/Shri : Lehri Singh Negi	Under transfer to Hamirpur.	Kinnaur at Recong-Peo.

1	2	3	4
2.	J. S. Rana	Under transfer to Ghumarwin.	Kangra
3.	Yash Pal Singh Negi	Kinnaur at Recong Peo.	Rampur
4.	Ashok Kumar	Kangra	Hamirpur
5.	Kashmir Singh Verma	Under transfer to Rampur.	Cancelled
6.	Hardyal Singh	Under transfer to Nahan.	Jawal
7.	Mohinder Singh	Jawal	Nahan

By order,

AJAY PRASAD,
F. C.-cum-Secretary.

Shimla-2, the 13th January, 2000

No. Home-B(A)1-8/99-Jails.—The Governor, Himachal Pradesh is pleased to constitute a Committee of the following official members to decide the demolition work of existing structure of sub Jail, Shimla as per the provisions contained in rule 16.7 of H. P. F. R. and PWD Manual :—

1. Engineer-in-Chief, H. P. Housing Board, Shimla.
2. I. G. Prisons/D. I. G. (Prisons), Himachal Pradesh.
3. Superintendent Jail, Sub Jail, Shimla.
4. The concerned XEN (PWD) in whose jurisdiction the structure exists.

By order,

ASHA SWARUP,
F. C.-cum-Secretary.

Shimla-2 the 29th January, 2000

No. Home-D (B-6)-2/99.—In partial modification of this department notification of even number, dated 23rd December, 1999, the Governor, Himachal Pradesh is pleased to order transfer and posting of Shri Santokh Singh, Dy. S. P. PTC Daroh under orders of transfers as Dy. S. P. IRB, Una, is now posted as Dy. S. P. (Vigilance), Mandi against vacant post without TTA.

By order,

A. K. GOSWAMI,
Chief Secretary.

Shimla-2, the 31st January, 2000

No. Home-D(B)-(7) 1/87.—The Governor, Himachal Pradesh is pleased to grant the Junior Administrative Grade of IPS (Rs. 12000-375-16500) to the following IPS Officers of 1991 batch with effect from the dates shown against each :—

1. Shri Ahmed Payam Siddiqui (HP-91) with effect from 1-1-2000.
2. Shri Atul Verma, IPS (HP-91) with effect from 1-1-2000.

3. Sri Pradeep Kumar, ips (HP-91) with effect from 1-1-2000.

Shimla-2, the 15th February, 2000

AJAY PRASAD,
F.C.-cum-Secretary.

Shimla-2, the 3rd February, 2000

No. Home-D (B-6)-1/2000.—The Governor, Himachal Pradesh is pleased to order transfer and posting of the following IPS Officers, with immediate effect, in public interest :—

1. Shri V. K. Malik, ips (HP-66), ADGP (Enforcement), Shimla is transferred and posted as ADGP (APT), Shimla.
2. Shri A. K. Puri, ips (HP-67), ADGP (CID) is transferred and posted as ADGP (Vigilance & Enforcement), Shimla.
3. Shri G. S. Gill, ips (HP-74), I. G. (APT), Shimla is transferred and posted as I. G. (HQ) and Operations, Shimla.
4. Shri O. S. Singh, ips (HP-70), I. G. (HQ), Shimla is transferred and posted as I. G. (Police Rules), Shimla.
5. Smt. Sitwant Atwal Trivedi, ips, (HP-95) ASP, Shimla is transferred and posted as Commandant, 1st Bn., Junga against vacant post in her own pay scale.

By order,
Sd/-
Chief Secretary.

Shimla-2, the 5th February, 2000

No. Home-D (B-2)-3/99.—The Governor, Himachal Pradesh, is pleased to place the services of Shri B. N. S. Negi, ips (HP : 88), S.P. (Vigilance), Dharamshala at the disposal of Government of India for his appointment as Assistant Director in the Bureau of Police Research and Development, MHA, New Delhi on Central Deputation basis for a period of four years from the date of assumption of charge of the post in the pay scale of Rs. 12000—16500 or untill further orders whichever is earlier, on the usual terms and conditions.

2. The Governor, Himachal Pradesh, is further pleased to relieve Shri B. N. S. Negi, ips (HP : 88), S. P. (Vigilance), Dharamshala of his duties with effect from 29-2-2000 (A.N.) with the directions to report for duty at the New place of posting under intimation to the State Government immediately.

By order,
A. K. GOSWAMI,
Chief Secretary.

Shimla-2, the 9th February, 2000

No. Home-D (B-2)-4/81-V.—The Governor, Himachal Pradesh, is pleased to relieve Sri Bir Singh, Dy. S.P., IRB, Una and further deployed at Pangi and place his services at the disposal of Bhakra Beas Management Board facilitating him to take up his new assignment as Project Security Officer at Talwara on usual terms and conditions of deputation, with immediate effect, in public interest. He will have option to draw grade pay and deputation allowance if admissible or pay to the post.

Shri Bir Singh, Dy. S. P. is directed to report for further duties to Bhakra Beas Management Board at Talwara, as Project Security Officer, immediately under intimation to this Government.

By order,
Sd/-
Chief Secretary.

No. Home-B(B) 1-19/95-Jails-II.—In pursuance of the provisions of F.R. 56 (a), the Governor, Himachal Pradesh is pleased to order that Shri Gaiinda Ram Raghunwanshi, Superintendent Brostal Jail, Mandi (in the rank and pay scale of Deputy Superintendent jails), shall retire from Government services with effect from 31-5-2000 (A.N.) on attaining the age of superannuation.

Shimla-2, the 15th February, 2000

No. Home-B (B) 1-19/95-Jails-II.—Whereas Shri Mohammad Shafi Hussain, Deputy Superintendent, jails joined his services on 11-1-1965 and as such has completed more than 34 years in Govt. service ;

And whereas Shri Mohammad Shafi Hussain, Deputy Superintendent jails vide his notice dated 26-11-1999 has applied for premature retirement in terms of Sub-rule (2) of Rule 3 of Himachal Pradesh Services (Premature Retirement) Rules, 1976 ;

Now therefore, the Governor, Himachal Pradesh is pleased to order that Sri Mohammad Shafi Hussain, Deputy Superintendent, Jails shall retire from Government services on 1-3-2000 (A.N.) under the normal pensionary benefits as admissible under rule 4 of the Himachal Pradesh Services (Premature retirement) Rules, 1976.

By order,

AJAY PRASAD,
Financial Commissioner-cum-Secretary.

सिवाई एवं जन स्वास्थ्य विभाग

अधिसूचना

शिमला-2, 18 मार्च, 2000

संख्या सिवाई 11-29/2000-मण्डो.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव डबरोग तहसील सरकाघाट, जिला मण्डो में हेण्ड पम्प डबरा व भण्डान कक्ष के निर्माण हेतु भूमि अर्जित करनी प्रेषित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिशेष में जैसा कि निम्न विवरणी में निदिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अर्पणित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो अपने सम्बन्धित हैं या हो सकते हैं, को जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके को किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अर्पणित अथवा अनुमत सभी अन्य कार्यों को करने के लिए सर्वत्र प्राधिकार देते हैं।

4. कोई भी हितवद्ध व्यक्ति जिसे उक्त परिशेष में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में सूचना देना चाहता है, मण्डो, हिमाचल प्रदेश लोक निर्माण विभाग के समक्ष अपनी आपत्ति दायर कर सकता है।

विस्तृत विवरणी

जिला : मण्डो		तहसील : सरकाघाट	
गांव	खसरा नं०	अव	हेक्टेयरों में
डबरोग/280	394/1	0	00 36

शिमला-2, 7 मार्च, 2000

संख्या सिचाई 11-62/99-सिरमौर.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव देवी नगर, तहसील पांवटा साहिब, जिला सिरमौर में सीवरेज टैंक के निर्माण हेतु भूमि अर्जन करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निदिष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इससे सम्बन्धित हैं, या हो सकते हैं की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितवद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, सोलन, हिमाचल प्रदेश लोक निर्माण विभाग के समक्ष अपनी आपत्ति दायर कर सकता है।

विस्तृत विवरणी

जिला : सिरमौर

तहसील : सांवटा साहिब

गांव 1	खसरा नं० 2	क्षेत्र बीघा बिस्वा 3 4	
		3	4
देवी नगर	280/163/1	1	15
	281/163/1	0	9
	789/279/163/1	0	11
किता . . 3		2	15

आदेश द्वारा,

सरिता प्रसाद,
विस्तृत एव सचिव।

विधि विभाग

अधिसूचना

शिमला-2, 14 मार्च, 2000

संख्या एल० एल० आर०-ई (9)-2/76.—हिमाचल प्रदेश के राज्यपाल, इस विभाग की अधिसूचना संख्या एल० आर०-107/420/54, तारीख 25-1-1971 के क्रम में और सिविल प्रक्रिया संहिता के आदेश XXVII के नियम 1 और 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्य भू-वैज्ञानिक और हिमाचल प्रदेश उद्योग विभाग के भू-वैज्ञानिकों को हिमाचल प्रदेश राज्य की ओर से कार्य करने हेतु, हिमाचल प्रदेश राज्य द्वारा, या इसके विरुद्ध वादों में, वादपक्षों और लिखित कथनों/प्रत्युत्तरों इत्यादि को हस्ताक्षरित और सत्यापित करने और किसी भी न्यायिक कार्यवाही की बाबत हिमाचल प्रदेश राज्य की ओर से कार्य करने के लिए प्राधिकृत करते हैं, विशेषतया तब, जबकि उद्योग निदेशक, हिमाचल प्रदेश, राज्य के भू-वैज्ञानिक स्कांध से सम्बन्धित वादों में प्रतिवादी न हो।

आदेश द्वारा,

हस्ताक्षरित/-
विधि परामर्शी-एवं-सचिव (विधि)।

[Authoritative english text of this department Notification No. LLR-E(9)-2/76, dated 14-3-2000 as required under clause (3) of Article 348 of the Constitution of India].

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 14th March, 2000

No. LLR-E(9)-2/76.—In continuation of this Department Notification No. LR-107/420/54, dated 25-1-1971 and in exercise of powers vested in him under rules 1 and 2 of the Order XXVII of the Code of Civil Procedure, the Governor, Himachal Pradesh, is pleased to authorise the State Geologist and the Geologists of the Industries Department of Himachal Pradesh to act for the State of Himachal Pradesh to sign and verify plaints and written Statements/replication/rejoinder etc. in suits by or against the State of Himachal Pradesh and also to act for the State of Himachal Pradesh in respect of any Judicial proceedings especially when the Director of Industries, Himachal Pradesh is not a respondent in cases pertaining to Geological Wing of the State.

By order,

Sd/-

L. R.-cum-Secretary (Law).

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171002, the 9th March, 2000

No. 1 9-8/97-Shram.-II.—In exercise of the powers vested in him under section 17 (I) of the Industrial Dispute Act, 1947, the Governor, Himachal Pradesh is pleased to order the publication of the awards in the Rajpatra announced by the Presiding Officer, Labour Court of the following cases :—

Sl. No. 1	Particulars 2	Section 3	Remarks 4
1.	Ref. 54/99-Shailender Kumar v/s. Shcha India Ltd. Parwanoo.	10	Publication
2.	Ref. 11/99-Mahant Ram V/s Management of M/s ACC Barmana	10	-do-
3.	Ref. 84/99-Nika Ram V/s. Divisional Forest Officer Nurpur, Distt. Kangra	10	-do-
4.	Ref. 138/99-Beja & Sh. Bhola Ram V/s HPPWD Salooni,	10	-do-
5.	Ref-102/99-Ramesh Kmuar V/s Ex. Engg. I & P H Dalhousie Chamba	10	-do-
6.	Ref. 62/99-Inder Kumar V/s Asstt. Engg. IPH Banikhet Chamba	10	-do-
7.	Ref. 134/99-Mazdoor Union V/s HPPWD Salooni	10	-do-
8.	Ref. 125/99-Tek Singh V/s Officer on Special Duty Nurpur Distt. Kangra	10	-do-
9.	Ref. 120/99-Udhayan Vibhag Mazdoor Union V/s Director Horticulture Distt. Shimla-2	10	-do-

1	2	3	4	Reference Under Section 10 of the Industrial Dispute Act, 1947.
10.	Ref. 54/94-Nagru Ram V/s Manager M/s Nesbeen & Company Ram Nagar, Mandi	10	Publication	11-1-2000 :—Present :—None.
11.	Ref. 122/97-Budhi Ram V/s Director of Agriculture Chamba & Others	10	-do-	The petition is dismissed for non prosecution. The case file after its completion be consigned to record room.
12.	Ref. 81/93-M/s Shivathin Linopack Workers Union V/s M. D. M/s Manserve Techno Corp. Service Parwanoo.	10	-do-	Sd/- (M. R. CHAUDHARY), Presiding Judge, H.P. Industrial Tribunal-cum-Labour Court, Shimla.
13.	Ref. 234/98-Naresh Kumar V/s I & PH Deptt. Baggi	10	-do-	In the Court of Shri M. R. Chaudhary Presiding Judge H. P. Industrial Tribunal-Cum-Labour Court Shimla
14.	Ref. 65/99-Ram Lal V/s Ex. Engg. I & PH Baggi.	10	-do-	Ref. 84 99. Decided on 12-1-2000
15.	Ref. 271/98-Shri Abdul Rehman Ansari V/s Ex. Engg. HPSEB S/ Nagar, Mandi	10	-do-	Sh. Nika Ram V/s. .. Petitioner. The Divisional Forest Officer, Nurgpur, Distt. Kangra. .. Respondent
By order, Sd/- Commr-Cum-Secretary (Labour and Employment) to the Government of Himachal Pradesh.				Reference Under Section 10 of the Industrial Dispute Act, 1947.
In the Court of Shri M. R. Chaudhary Presiding Judge Himachal Pradesh Industrial Tribunal-cum-Labour Court Shimla				12 1-2000 : Present :— None for the petitioner. Shri Hari Chand Dy. Ranger for the respondent.
Ref. 54/99 Decided on 3-1-2000.				Petitioners are absentee service. Petition dismissed for non presecution. The case file after its completion be consigned to record room.
Shailender Kumar V/s. M/S Shcha India Ltd. Parwanoo.				Sd/- (M. R. CHAUDHARY) Presiding Judge, H. P. Industrial Tribunal-Cum-Labour Court, Shimla.
Reference Under Section 10 of the Industrial Dispute Act, 1947.				In the Court of Shri M. R. Chaudhary Presiding Judge H. P. Industrial Tribunal-Cum-Labour Court Shimla
3-1-2000 : Present :— Sh. A.K. Sharma AR for the petitioner. Sh. V. K. Gupta AR for the respondent.				Ref. 138/99. Decided on 11-1-2000.
The AR of the petitioner has made a statement that he has settled the dispute with the respondent and does not want to pursu this application. In view of the statement made by the AR of the petitioner, application stand withdrawn as settled.				Sh. Beja & Sh. Bhola Ram .. Petitioner. V/s.
Sd/- (M. R. CHAUDHARY), Presiding Judge, H. P. Industrial Tribunal-Cum-Labour Court Shimla				Ex. Engg. HPPWD Salooni Division Salooni, Chamba. .. Respondent.
In the Court of Shri M. R. Chaudhary Presiding Judge Himachal Pradesh Industrial Tribunal-Cum-Labour Court Shimla				Reference Under Section 10 of the Industrial Dispute Act, 1947.
Ref. 11/99. Decided on 11-1-2000.				11-1-2000 :—Present : None.
Sh. Mahant Ram. .. Petitioner V/s.				The Petition is dismissed for want of prosecution. The case file after completion be consigned to record room.
Managemen t of M/s ACC Barmana. .. Respondent.				Sd/- (M.R. CHAUDHARY), Presiding Judge, H. P. Industrial Tribunal -Cum-Labour Court Shimla
				In the Court of Shri M. R. Chaudhary Presiding Judge H. P. Industrial Tribunal-Cum-Labour Court Shimla
				Ref. 102/99. Decided on 11-1-2000
				Ramesh Kumar & Baldev Krishan ..Petitioner V/s.
				Ex.-Engg. I & PH Dalhousie, Chamba .. R. sponden

Reference Under Section 10 of the Industrial Dispute Act, 1947.

In the Court of Shri M. R. Chaudhary Presiding Judge, H. P. Industrial Tribunal-Cum-Labour Court, Shimla.

11-1-2000 :- Present :- None.

Ref. No. 125/99.

The petition is dismissed for want of prosecution. The case file after completion be consigned to record room.

Instituted on 26-7-1999.

Decided on 14-12-99.

Seal. Sd/-
(M. R. CHAUDHARY),
Presiding Judge,
H. P. Industrial Tribunal-Cum-Labour
Court, Shimla.

Sh. Tek Singh.

.. Petitioner.

V/s.

Officer on Special Duty
Nurpur, Distt. Kangra.

.. Respondent.

In the Court of Shri M. R. Chaudhary Presiding Judge H. P. Industrial Tribunal-Cum-Labour Court Shimla

Reference under Section 10 of the Industrial Dispute Act, 1947.

Ref. 62/99.

14-12-1999 :- Present :- Sh. Des Raj Advocate for petitioner,
Sh. R. L. Kaith Advocate, for Respondent.

Decided on 11-1-2000.

Sh. Inder Kumar .. Petitioner.

V/s

Asstt. Engg. IPH Sub-Division Banikhet, Chamba. .. Respondent.

Reference Under Section 10 of the Industrial Dispute Act, 1947.

11-1-2000 :- Present : None.

The Petition is dismissed for want of prosecution. The case file after completion be consigned to record room.

Seal. Sd/-
(M. R. CHAUDHARY),
Presiding Judge,
H. P. Industrial Tribunal-Cum-Labour
Court Shimla.

In the Court of Sh. M. R. Chaudhary, Presiding Judge, H. P. Industrial Tribunal/Labour Court Shimla

Ref. No. 120 of 1997.

Instituted on 4-10-1997.

Decided on 4-12-1999.

Udhayan Vibhag Mazdoor Union, Bilaspur, District Bilaspur, Himachal Pradesh.

.. Petitioner.

Versus

The Director, Horticulture Department, Shimla-171002.

.. Respondent.

Reference under Section 10 of the Industrial Dispute Act, 1947.

For petitioner : Sh. J. C. Bhardwaj, AR.

For respondent : Sh. D. S. Chandel, AR.

AWARD

This reference has been received from the appropriate Government on 13-5-1994. The reference is reproduced hereunder :-

"कि क्या प्रधान उद्यान विभाग मजदूर यूनियन बिलासपुर का मांग पत्र दिनांक 25-12-92 (प्रति संलग्न) जो कि निदेशक उद्यान हि० प्र० को दिया गया है को मांग संख्या 1, 2, 5, 7 से 11 तथा 14, 15 उचित व न्याय संवत है। यदि नहीं तो उक्त यूनियन के कामगार किस-किस मांग के किस समय से हकदार है।"

2. After receiving the reference, notices were issued to the parties. In compliance of the notices, the parties

Reference Under Section 10 of the Industrial Dispute Act, 1947.

11-1-2000 :- Present :- None.

The Petition is dismissed for want of prosecution. The case file after its completion be consigned to record room.

Seal. Sd/-
(M. R. CHAUDHARY),
Presiding Judge,
H. P. Industrial Tribunal-Cum-Labour
Court, Shimla.

appeared in the Court. Petitioner filed the claim. In the claim it is averred that the respondent department has been engaged at Bilaspur with a fruit canning unit in Nihal since a good number of years with the activities of permanent nature and other activities of the same nature. Due to unfair labour practices, the posts like salesman, Supervisor, Mali etc. are filled by muster rolls daily wagers, however, names as beldars whereas actually they are working on the posts as shown under :-

- | | |
|--------------------------|--------------------|
| 1. Sh. Kedarshwar Gautam | Salesman. |
| 2. Sh. Onkar Chand | Salesman. |
| 3. Sh. Ravinder Singh | Clerk/Supervisor. |
| 4. Sh. Jaikishan | Mali/Gardner. |
| 5. Sh. Harbans Lal | -do- |
| 6. Sh. Baldev Singh | Mali-cum-Chowkidar |
| 7. Smt. Sita Devi | Beldar. |
| 8. Smt. Jameela | -do- |
| 9. Sh. Hariman | Salesman. |

3. The applicant union thus has also demanded the wages for the workmen as shown supra in equation to their posts on which they were and are working and that too retrospectively since the date of their employment. That the demands for the muster roll with actual designation is genuine and the presently issued muster Roll amounts to unfair labour practice as well as victimisation against the spirit of the Directive Principles enshrined in the Constitution of India on which the Himachal Pradesh government also claims to be functioning. The state government is expected to be a noble employer in all respects, specifically where the welfare of the subjects are concerned. That the workman of the union namely Shri Jagdish Chander has been performing the duties as a skilled workman for a good number of years and as such deserve to be paid the wages of skilled workman retrospectively with arrears of difference of wages. Kedarshwar Gautam, Onkar Chand, Harinam are the salesmen, Ravinder Singh Thakur, Jaikishan, Harbans as Supervisor, Mali and Chowkidar respectively, Ranjit Singh and Kesar Singh both Mali and Durga Ram and Keshwa Nand also Mali be paid the wages in accordance with their status that too with arrears. These workmen are employed at Nihal, budder and Saddar block office. It is prayed that the respondents be directed to accept demands No. 1, 2, 5, 7, to 11, 14 and 15 immediately as per demand notice dated 25-12-1992 with costs.

4. Reply to the claim was filed by the respondent. It is admitted in the reply that the Department of Horticulture has a fruit canning unit at Nihal, District Bilaspur and the workers shown at Sl. No. a & b are working in the Fruit Canning Unit, Nihal as casual labourers and not as Salesman as contended by them. Rest of the workers shown at Sl. No. c to h are working under the control of District Horticulture Officer, Bilaspur as a casual labourer and not as Clerk/Mali and Beldars as stated by them. The activities of the Horticulture Department is of casual nature and the work is entirely of the seasonal nature in the canning unit as well as in the office of the District Horticulture Office, Bilaspur. The services of the casual labourers cannot be regularised straight way unless the procedure so prescribed in the Recruitment and Promotion Rules are followed by respondent. As a matter of fact, the applicants are required to get their names sponsored through Employment Exchanges and when the vacancy of Beldar arises and notified by the Department and thereafter holding the proper interview, the selection is made entirely on the merit basis. The muster rolls are always issued accordingly and the work of casual labourers for which the muster rolls are issued are being taken from the applicants as such it is no way of unfair labour practice. Casual workers are being paid accordingly for the work for which they are doing in the respondent establishment. In nutshell the claim of the petitioners was controverted and denied.

5. Replication was also filed wherein the stand taken in the claim is re-asserted and the allegations in the reply were controverted and denied.

6. Reply to the replication was also filed, wherein the stand taken in the replication was controverted and denied.

7. On the basis of the reference and the pleadings of the parties, my learned predecessor framed the following issues on 26-11-1994:-

- Whether the demands of workers of the petitioners union which have been raised in demand notice dated 25-12-1992, are genuine and justified and if so, to what relief the workers are entitled to ?

... OPP.

- Relief.

8. After deciding the matter by my learned predecessor, the matter was challenged in the Hon'ble High Court, wherein the order of this Court was set aside and the matter was again sent to this Court that the matter be decided afresh on the available record and evidence of both the parties. After receiving the file from the Hon'ble High Court, the parties were informed and the matter was posted for arguments as both the parties relied on the evidence already on record.

9. I have heard the parties present in the Court and I have also gone through the record. To decide the fate of the issues, my findings are as under:-

FINDINGS :

Issue No. 1.—Petitioner being casual labourers cannot be appointed to the posts as claimed in the demand notice annexure PA dated 25-12-1992.

Relief.—Petitioners can be regularised after completing 10 years on the post on which they were working.

REASONS FOR FINDINGS :

10. *Issue No. 1.*—First of all, I will discuss the oral as well as the documentary evidence of both the parties. One Sh. Kedarshwar Gautam appeared as PW-1 and deposed that there is a Union of Workman known as Horticulture Mazdoor Union and he is President of the Union. He deposed that there are all daily wage workers and some of them had worked for more than 10-15 years and yet they have not been regularised. He further deposed that daily wage workers being paid Rs. 24/- per day which has now been increased to Rs. 26/- per day. He further deposed that they are required to work as Salesmen, Mali, Chowkidar and also Clerk. It is further deposed that they served a demand notice to the respondent but was not conceded by the respondent. The charter of demands was tendered as Exhibit P-A in which all demands are mentioned. He also tendered in evidence Exhibit P-B which is a copy of Certificate issued by Manager-cum-Chemist, Fruit Processing Centre, Bilaspur in his favour to the effect that he worked as a salesman during the period from 8-5-1981 to 13-5-1983. He also tendered the copy of Seniority List which is exhibit P-C. He further deposed that the Inspector has inspected the premises of the respondent and has recorded that he was working as a salesman at the Fruit Processing Centre alongwith other senior workers. He prayed that workers should be regularised after completion of 10 years and should be allowed wages according to work they have done. In his cross examination he denied that he is not working as a salesman.

11. PW-2 Onkar Chand who is General Secretary of the Union deposed that he had been working since 23-5-1983 as salesman in the respondent's sales shop in DE's office Complex at Bilaspur. He also prayed that the respondent be directed to regularise them. He denied that he is working as salesman. PW-3 Hariman also deposed on the similar line. PW-4 Sh. Ravinder Singh deposed that he has been working since 3-9-1980 as clerk on daily wages basis in DHO office Bilaspur. He further deposed that the respondents are not paying the wages of clerk and had approached the Hon'ble High Court and on the directions of Hon'ble High Court he was paid wages for the period from 3-9-1980 to 5-9-1987.

However, after 1987 despite the fact he had been doing the same work but wages have not been paid of clerk. He tendered in evidence exhibit P-D which is copy of judgement of Hon'ble High Court. He also prayed for the regularisation and in his cross examination, he denied that he had been working as clerk. PW-5 Smt. Jamila Bibi who has been working as Beldar for the last about 7 years and demanded that she be regularised in service.

12. One Sh. S. D. Gandhi, Labour Inspector Nalagarh appeared as PW-6 deposed that earlier he was posted as Labour Inspector Bilaspur during the period from 1-11-1991 to 29-4-1993. He deposed that he had inspected one of the sale depot of the respondent and at the time Shri Kedareshwar Gautam was working as salesman. He had also inspected the stock register and had made observation on the said register for obtaining licence. He identified his signatures made by him on the stock register. He further deposed that he also tried conciliation with the workers and respondents but failed. He deposed that the workers are entitled to Casual Leave, Earned Leave, Sick Leave and National Holidays. He had written show cause notice to the respondent on 30-4-1992 but had not received compliance. He tendered in evidence exhibit PW-6/O which is the copy of the show cause notice. He also got directions from the Joint Labour Commissioner for initiating proceedings against the respondents for violation of the labour laws. Exhibit PW-6/D is the copy of such letter. In his cross examination, he deposed that he had not sent in writing any letter regarding the inspection of D.O. office sales depot nor he was required under law, except the observation which is had recorded. The representative of the petitioner closed the evidence on behalf of the petitioner.

13. On the other hand, one Sh. R.P. Sharma appeared as RW-1 and deposed that demands of the workers are not genuine because the units of the respondents are not registered and as such these units are not covered under the Factory Act. He deposed that according to Minimum Wages Act, the respondent are paying the wages. The demand notice was received on 25-12-1992 and Director of the respondent sent the same to the Govt. In his cross examination, he admitted that the respondents have eleven workers in Fruit canning units and four sales shops. He admitted that these casual labourers are discharging the duties of salesman. He also admitted that workers have furnished bonds for discharging the duties to the tune of Rs. 10,000/- by each. He identified exhibit P-2 & P-3 to be correct and also P-4. He also admitted that the Factory of the respondent and Sales Depots are within Municipal Limits. This is oral as well as documentary evidence both the parties.

14. The claim of the workers is given in Demand Notice Ex. PA dated 25-12-1992 and in view of the demand notice, Ravinder Singh, Jai Kishan, Harbans and Baldev were working with the respondent No. 2 as Supervisor, Mali and Ohawkidar for the vast many years. Shri Kedareshwar Gautam, Onkar Chand, Hari-man are performing their duty as Salesmen with the respondent No. 3. Jagdish Chander is performing his duties as skilled workman. Shri Ranjit Singh and Kesar Singh are performing duties as Mali and Peon-cum-Chowkidar. Durga Ram, Keshwa Nand are working in office of Sadar Block for last many years with respondent No. 2 as Mali. This demand notice was considered by the respondent but not accepted as is clear from the reply. In reply, it is averred that all the petitioners are working as casual laborer, and not as Salesmen and Clerks as alleged because no salesman, Clerk and Mali can be recruited without sponsoring the names from the Employment Exchange. The names of all the petitioners have not been sponsored from the Employment Exchange and they are employed on daily wages on muster roll basis though they have employed for more than 10 years service, but they cannot be regularised on the post of Salesmen, Clerk/mali as per their demand notice dated, 25-12-1992. If the person is claiming that he is appointed as salesman then appointment letter would have been placed on record by any of the petitioners. Some of the

petitioners alleged that they are appointed as Clerk/Mali, they have not placed any appointment order because the post of Clerk/ Mali cannot be filled unless and until the names are sponsored from the Employment Exchange and the selection is carried out. Any person who was appointed on such post as Clerk/salesmen etc., that will be a back door entry and in the entry to such post cannot be regularised on such posts. If it is so, then other meritorious candidates who are not asked to appear in the interview of their names are not sponsored are deprived to compete for such posts. Therefore, the claim of the petitioners that they are working as Salesmen/Supervisor, Clerk and Mali cannot be accepted because any back door entry made by the respondent on such post without asking the names from the Employment Exchange cannot be held to be legal and valid by the Court.

15. The petitioners were working as daily wagers as admitted by PW-1 and others also, who appeared in the Court. They cannot be treated at par with the persons of regular service of the state of Himachal Pradesh holding similar post because daily rated persons are not perform the duty at par with them nor do they have to fulfill the requirement relating to procedure at the time of recruitment. They are not selected in the same manner as regular employees. Regular employees are liable to be transferred and are being subject to the disciplinary jurisdiction to which the daily rated workmen are not subjected to. Therefore, they cannot be equated with regular employees for the purpose of their wages, earned leave, etc. nor they can claim the minimum of the pay scale of the regular employees.

16. Since the original engagement of the petitioners is not based on proper procedure of the engagement hence the petitioners will not be entitled to claim as claimed in the demand notice. This point has been discussed in the law laid down by the Hon'ble Supreme Court in a case reported AIR 1997 SC-1628 in a case Ashwani Kumar v. State of Bihar. In another authority SLR 1996 (2)-321-SC in a case of STATE OF HIMACHAL PRADESH v. SURESH KUMAR VERMA AND ANR. Therefore, I hold that the petitioners' demand notice dated 25-12-1992 for the posts as mentioned therein cannot be accepted in view of the law laid down by the Hon'ble Supreme Court stated hereinabove.

17. Once it is held that the petitioners cannot be treated on the post of Salesman, Supervisor, Clerk, Mali as alleged in the demand notice, then they are not entitled to the pay scales as per their demand notice Ex. PA and this proposition has been well settled by the Hon'ble Supreme Court in a case reported LLJ (II) 1997-667 in a case titled STATE OF HARYANA & ORS v. JASMER SINGH AND ORS. The Hon'ble Supreme Court has elaborately discussed that daily rated workers cannot be equated with the regular workers for the purpose of wages. Now the respondents have passed an order dated 24-12-1997 with regard to regularisation of the petitioners for the posts they were appointed by the respondent after completing 10 years service and they are give the offer. Now, it is for the petitioners to join against the post as ordered by the respondent department vide order dated 24-12-1997 placed on record vide Ex. A. The point is answered accordingly.

RELIEF :

18. Keeping in view the aforesaid findings and discussions, I hold that the petitioners are not entitled to the post as claimed in the demand notice dated 25-12-1992 nor the pay scale for the post as they were appointed. Now, all the petitioners in view of the notification vide Ex. A placed on record by the respondent, they have been regularised after completing 10 years of service. Now, the option rests with the petitioners to join against the said vacancies vide Order Ex. A. Department shall give chance to each and every petitioner to join against the vacancy mentioned in Ex. A from the date of award

at least for 40 days time to join their duties. If any of the petitioner fails to join the department is at liberty to take action in accordance with law. Reference is answered accordingly. Let a copy of this award be sent to the appropriate Government for its publication in the H.P. Rajpatra.

Announced in the open Court today this 4th day of December 1999.

Sd/-
(M. R. CHAUDHARY),
Presiding Judge,
H.P. Industrial Tribunal-cum-Labour
Court, Shimla.

In the Court of Shri M. R. Chaudhary, Presiding Judge,
H.P. Labour Court, Shimla

Ref.No. : 54 of 1994

Instituted on : 28-8-1994

Decided on : 16-12-1999

Sh. Nagnu Ram Fitters s/o Sh. Naulu Ram Ex-Fitter
Hesbee & Company, Ram Nagar, Mandi (H.P.)

.. Petitioner.

Vs.

Manager M/s Hesbee & Company, Ram Nagar,
Mandi (H.P.) Respondent

Reference Petition under section 10 the Industrial
Disputes Act, 1947.

For petitioner : Sh. Dhani Ram, AR.

For respondent : Sh. R. L. Kaith, AR.

AWARD

This reference has been received from the appropriate Government with regard to the termination of the petitioner. The reference is reproduced here under:—

“कि क्या मैं हूँ हीरो एंड कम्पनी मंडी जिला मण्डी द्वारा श्री नानगु राम फिटर को बिना किसी जांच के नौकरी से निकालना सही व न्याय संगत है, यदि नहीं तो श्री नानगु राम किस राहत व क्षतिपूर्ति का हकदार है।”

2. After receiving the reference, the notices were sent to both the parties. The petitioner filed the statement of claim wherein it is averred that the petitioner was engaged by the respondent in the year 1969. After his engagement on 10-10-1969 he was promoted as a fitter and worked continuously with the respondent. It is submitted that the petitioner was terminated from service without inquiry charge sheet or without assigning any other reason w.e.f. 01-6-1992. Aggrieved by the termination he raised an Industrial Dispute and prayed that he be re-instated in service w.e.f. 01-6-1992 with full back wages and continuity in service.

3. Written statement for and on behalf of respondent was filed and the allegation made in the claim were denied. It is averred that the contents of the claim are misleading and are based on travesty of lies. The services of a applicant were not terminated w.e.f. 01-6-1992. The petitioner was not interested to serve the respondent. It is further averred that the attendance of the petitioner was irregular and in fact he is a habitual absentee. Moreover intentionally with a view to harass the respondent he had been following go slow action which is evident from Annexure R-1. It is further submitted that the petitioner left the job at his own and finally there was no option but to remove the name of the petitioner

from the roll as he had abandoned the job. In nutshell the claim of the petitioner was controverted and denied.

4. On the basis of pleadings reference the following issues were framed:—

1. Whether the termination of the petitioner is bad in view of Section 25F of the Industrial Disputes Act, 1947 ? If so its effect ?

OPP.

2. Relief.

5. I have heard the parties at length and gone through the entire record placed on file. To decide the fate of the issues my findings are as under:—

Issue No. 1

Yes.

Relief

Petition accepted.

REASONS FOR FINDINGS

6. First of all, I will discuss, oral as well as documentary evidence of both the parties. The petitioner himself appeared as PW-1 and deposed that from 10-01-1969 he has been working as fitter and worked as such till 10-01-1992. He was retrenched on 01-6-1992 without any notice, chargesheet, and was also not paid retrenchment compensation. He further deposed that he served a demand notice Exhibit PB but the Management refused to accept the delivery as per report on the postal envelop. He is not employed anywhere and prayed for reinstatement. In his cross examination, he denied that he has not completed 240 days in any of the calendar year. He also denied that he has been proceeding on leave without due sanction or permission. He further denied that he abandoned the employment of the respondent. He denied that he had not been attending to his duties regularly.

7. On the other hand one Sh. Surjit Singh appeared as RW-1 and deposed that the petitioner had been working with the respondent as Asstt. Fitter since 1969. The respondent concern is manufacturing guns. He further deposed that there are 32 employees in the factory and they have time bound production. Absence of any employee has an adverse effect on their manufacturing process. The attendance record of the petitioner was very poor and on their several warnings were issued to the petitioner which are Exhibit RA to RH.

He also deposed that respondent did not terminate the services and the petitioner himself abandoned the employment. The attendance of the petitioner from 1992 is Exhibit R.J. Similarly certain attendance record is Exhibit R.K. and certificates issued to the petitioner is exhibit R.L. The petitioner did not resumed his duties or asked for it from the respondent. It is further deposed that the petitioner never asked for the payment of his dues whether gratuity or otherwise. In his cross examination he admitted that no domestic inquiry has held against the petitioner. He also admitted that no medical examination was conducted when the petitioner was found drunk while on duty. He did not write any letter to the petitioner for assumption of his duties. This was oral as well as documentary evidence of both the parties.

8. The Management admitted that the petitioner is working as Fitter right from 1969 and his services were terminated in June, 1992. Meaning thereby that the petitioner worked for more than 240 days in a calendar year with the respondent. If it is so, then, if the retrenchment is to be passed by the respondent, then procedure has to be followed as laid down under Section 25F of the Act. The respondent has not followed the procedure as laid down in the I.D. Act as per the statement of Shri Surjit Singh RW-1. The next contention that the petitioner was found drunk on account of misconduct. Had it been so, the petitioner would have not raised the Industrial Dispute—neither the Management conducted any inquiry nor any medical examination was got conducted. The Management was not powerless to observe

the legal formality against the petitioner. In such situation, if the management had not followed the procedures laid down in the 1 D Act and could not prove that the petitioner left the services of his own. Their the termination is illegal. To this effect, the law settle by the Hon'ble Supreme Court and various Hon'ble High Courts in a case 1981 (3) SCC-225 in a case Titled MOHAN LAL V. MANAGEMENT OF M/s BHARAT ELECTRICAL LIMITED. Similar preposition has been held in 1982 (1) SCC-645 in a case ROVER D'SUZA V. EXECUTIVE ENGINEER SOUTHERN RAILWAY AND OTHERS. Similar view was again re-called by the Hon'ble Supreme Court of India in a case 1985 (4) SCC-78 case Titled MANAGEMENT OF STANDARD MOTORS PRODUCT OF INDIA LTD. V. PARTHA SARTHI AND OTHERS. In such matters, our own Hon'ble High Court has laid down a law in a case LLJ-1999-II-304 case Titled JASBIR SINGH V. STATE OF H.P. AND OTHERS.

9. So, keeping in view the law settled by the Apex Court of the Country and our own Hon'ble High Courts, I conclude that the retrenchment order passed by the Management against the petitioner is illegal, unjustified. Therefore, I hold that the petitioner is entitled for the relief claimed. Point is answered accordingly.

Relief ;

10. Keeping in view the aforesaid findings and discussions, I hold that the termination of the petitioner is illegal and the petitioner is entitled for reinstatement with full back wages. The petition is accepted subject to cost of Rs. 500/- which shall be paid by the Management. Let a copy of this award be sent to the appropriate Government for its publication in the H.P. Rajpatra.

Announced in the open court today this 16th day of December, 1999.

Seal.

Sd/-
(M.R. CHAUDHARY),
Presiding Judge,
H.P. Industrial Tribunal -cum-
Labour Court, Shimla.

In the Court of Shri M. R. Chaudhary, Presiding Judge,
Himachal Pradesh Labour Court, Shimla

Reference No. 122 of 1997

Instituted on 4-11-1997

Decided On 27-11-1999

Shri Budhi Ram son of Shri Sukh Ram, V. & Post Office,
Goela Tehsil Kasauli, District Solan, Himachal
Pradesh ..Petitioner.

Versus

1. Deputy Director of Agriculture, Department of
Agriculture, Chambaghat, District Solan, Himachal
Pradesh.

2. The Soil Conservation Officer Department of
Agriculture, Nalagarh, District Solan ..Respondents.

Reference under section 10 of the Industrial Disputes
Act, 1947.

For petitioner: Shri J. C. Bhardwaj, AR.

For respondents: Shri R. K. Kaushal, AR.

AWARD

This reference has been received from the appropriate
Government with regards to the termination of the peti-
tioner dated 5-11-1997. The reference is reproduced

hereunder :—

“कि क्या श्री बुधि राम सपुत्र श्री सुख राम गांव व डा 0 गोयला
तहसील कण्ठावाट, जिला सोलन को उप-निदेशक कृषि विभाग
चम्बावाट, जिला सोलन द्वारा बिना नोटिस एवं बिना जांच
कार्यवाही व बिना छंटनी मुआवजा दिये नौकरी से निकालना
न्याय संगत है ? यदि नहीं तो श्री बुधि राम किस क्षतिपूर्ति
एवं सेवा लाभ का हकदार है ?”

2. After receiving the reference, the notices were issued to both the parties. Both the parties appeared in the Court. The petitioner filed the statement of claim, where in it is averred that the petitioner was inducted into service as a mate during the month of March, 1993 and continued as such till his first termination on 11-12-1995. On the said termination, the petitioner workman moved a petition before the Hon'ble High Court of H. P. vide which the petitioner's services were restored and was engaged on 1-1-1996 with continuity of service. The said judgement of the Hon'ble High Court is Annexure PA. But, inspite of the judgement, the respondent had again terminated the services of the petitioner on 29-3-1996 without any reason. The service of the petitioner has been terminated without any notice, retrenchment compensation and without following all the statutory and mandatory provisions of the law paramateria on the subject and further they have committed violation of Employment standing Order Act, 1946. That the petitioner workman has worked for more than 240 days since his induction in to the employment till his illegal termination on 29-3-1996 and prayed that he be re-instated with full back wages.

3. Reply to the claim was filed by the respondent wherein it is averred that the petitioner was engaged on muster roll as daily paid casual labour w. e. !. 21-6-1993 and not from March, 1993 in normal course of employment against the on going schemes of soil conservation section. It is pertinent to bring to the notice of the court that the applicant himself deserted from work as he wilfully remained absent w. e. f. 1-9-1993 to 31-1-1994. i. e. for more than 5-6 months continuously for the reasons best know to him. The applicant again joined on 1-2-1994 and worked upto 30-4-1994. Again the petitioner absented and came in March, 1994 and he was adjusted in National Water Development project where the work was available from May, 1994 to October, 1994 and January, 1995 to September, 1995. It is denied that the petitioner was disengaged on 11-12-1995. As a matter of fact the H. P. Government took a decision to get the work completed by forming a committee where the scheme was to be executed. This committee is known as “Mittar Kissan Mandal”. The petitioner was also advised to go to the Pradhan of Mittar Kissan Mandal to get himself on the work because no muster roll was issued to respondent. The matter was taken up with the Government of India for enhancement of budget by the H. P. Government. But Government of India has clarified that the Norms under National Water-Shed Development Project for rainfed area fixed for various activities during 8th Five year Plan cannot be revised at this stage. In view of the aforesaid facts and enhancement of wages from Rs. 26/- to 45.75/- by the H. P. Government, it was difficult to complete the work within the approved cost. Therefore, the Government took a decision to get the work completed by forming the self help group/Mittar Kissan Mandal to carry out the activities in accordance with the norms fixed by the Government of India.

4. It is averred that the petitioner has not completed 240 days in a calendar year as contended though he was engaged in normal course of employment in the month of June, 1993 and only worked upto 31-8-1993 he thereafter deserted from work at his own continuously and only came in the month of February, 1994. In the year, 1993 the petitioner attended only the work for 41 days. In the year, 1994 he again came back to work on 1-2-1994 and worked upto October, 1994. The applicant only attended the work for 133 days during the month of November and December, 1994, he did not work

continuously and came only on 1-1-1995 and he worked for 263 days. In the year, 1996, he was attended the work invariably and only attended the work for 45 days and came again in the month of January, 1997 to 31-1-1997. Thereafter, he himself deserted from the work.

5. It is also denied that the petitioner was a mate but as the casual labour engaged by the Government with the availability of work and disengaged on completion of work strictly on the principle of last come first go. Moreover, the petitioner has not disclosed the names of his juniors. It is further averred that the petitioner was engaged in normal course of employment against the on going schemes of soil conservation sections which was executed on community basis by the department after the completion of short term minor works of casual labour at different places. The petitioner himself deserted from work as he wilfully remained absent and prayed that the petition be dismissed. In nutshell the claim of the petitioner was controverted and denied.

6. On the basis of the reference and the pleadings of the parties, the following issues were framed on 4-6-1998:—

1. Whether the retrenchment of the petitioner is illegal for want of compliance of section 25-F of the I. D. Act, 1947? If so, its effect? *OPP.*

2. Relief.

7. I have heard the parties present in the court and one through the entire record. To decide the fate of the issues my findings are as under:—

FINDINGS

Issue No. 1. No

Relief: *Petition rejected.*

REASONS FOR FINDINGS

8. *Issue No. 1.*—First of all, I will discuss the oral as well as the documentary evidence of both the parties. Petitioner appeared as PW-1 and deposed that he was employed by the respondent in the year, 1993 as daily labourer. He was removed from the job in the year, 1995. He was re-engaged on job by the respondent in the same year, i.e. 1995. He was employed by the respondent, intermittently, but in the year, 1997 he was finally removed from the job. In the year, 1995, he worked with the respondent for 263 days. He was not given any notice by the respondent when he was removed from the service or any retrenchment compensation was offered by the respondent. He did not know whether any workers have been engaged by the respondent, but he has completed 10 days of service continuously.

9. On the other hand, respondent examined one Shri L. Sharma, as RW-1, who deposed that the petitioner as employed by the respondent in the year, 1993 and thereafter, the petitioner was not offered any job as the soil work with the respondent came to an end in January, 1997. The work of the respondent is of casual nature in the soil conservation for the benefits of the small and marginal farmers. When the work was under taken by the respondent for other farmers at a distance of about 1 and 15 kms., then the petitioners did not approach the respondent for employment, probably, the persons residing nearby were offered the job. The respondent undertakes small schemes such as to level the fields, to construct a tank or to raise retaining walls and these work are of not perennial in nature. When the work is available, the persons are employed. When the work is over, then the persons are disengaged. He admitted that no compensation was given to the petitioner when he left the job, in fact the work of the respondent was of casual in nature. This is the oral as well as the documentary evidence of both the parties.

10. The claim of the petitioner is that once he has completed 240 days in a calendar year while working

with the respondents, then before terminating the services, the respondents are duty bound to comply with the provisions of section 25-F of the Industrial Disputes Act 1947 which has not been done in the present case nor any compensation in lieu of notice was paid by the respondents to the petitioner. Accordingly to him, the petitioner worked with the respondent right from 1993 till 1997 though intermittently. According to the petitioner, he is entitled for re-instatement with back wages.

11. On the other hand, the claim of the respondent is that the soil conservation schemes are undertaken for the benefit of small and marginal farmers to take small projects for the benefits of the farmers and when the work is over, the labourers engaged are disengaged. So the work is not perennial in nature, so the continuity in service and regularisation do not arise. Further stand taken by the respondent and it has come in evidence that new schemes have been framed where the Pradhan of the Illaqua and the officers of the respondent participate and the farmers who use to take the benefits of such schemes, gather together and execute the work together and receive the payment when the work is over. The petitioner though has worked for more than 240 days but not regularly, but intermittently when the work was available with the respondents. This work is of a seasonal in character, as such can be executed when the fields are open and crop is not cultivated. This shows that the work is of a seasonal in character. If such type of labourers are employed though they have completed 240 days in a calendar year, cannot get the benefit of section 25-F of the Act.

12. In view of the amount of evidence and nature of work undertaken by the respondents, I am of the confirmed view that the seasonal employees as proved by the respondents who had put in 240 days of service cannot take the benefit of section 25-F of the Act because no work which is perennial in nature is available with the respondents. On the similar preposition, the law has been laid down by the Hon'ble Madras High Court with regard to the work which is seasonal in nature in case 1998 (1) LLJ-728 in a case titled **TAMAIL NADU CIVIL SUPPLIES CORPORATION WORKER'S UNION V TAMAIL NADU CIVIL SUPPLIES CORPORATION LTD. AND OTHERS?** Where the Hon'ble Madras Court has clearly laid down that where the work is of a seasonal in character, then no direction can be issued by the Court to regularise the services of the petitioners. The petitioner admitted himself that he was being employed by the respondents when the work was available with the respondents. There are another cases on similar lines as reported in 1995 (5) SLR-232 and 1997 (4) SLR-586 S.J. In these cases also, the similar view has been endorsed by the Hon'ble Supreme Court of India that if the work is of a seasonal character, then no direction can be given to regularise the workers. The work shall be of perennial in nature when the workers can take benefits of section 25-F of the Act when their services were terminated without complying the said provision when workman has completed 240 days in a year.

13. I have seen the entire evidence. Statements of the parties and I am of the view that the termination of the petitioner is neither bad nor illegal nor section 25-F of the act is attracted as the work is of seasonal character undertaken by the respondents for the small and marginal farmers and when the work is over, the worker is disengaged. Hence the point is answered accordingly.

RELIEF

14. Keeping in view the aforesaid findings and discussions, I hold that the termination of the petitioner is not illegal, therefore, the petitioner is not entitled to the relief as claimed. Petition is rejected with no costs. Further, the respondents are directed to prepare the seniority list of the workers and if any work is to be executed the petitioner shall be called on first come last go basis. Let a copy of this award be sent to the appropriate Government for its publication in the H. P. Raj-patra.

Announced in the open Court today this 27th day of November, 1999.

Seal.

Sd/
(M. R. CHAUDHARY),
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour
Court, Shimla.

In the Court of Shri M. R. Chaudhary, Presiding Judge,
Himachal Pradesh Labour Court, Shimla

Reference No. 81/93
Instituted on: 7-7-1993
Decided on 8-12-1999

M/s Shivathene Linopack Workers Union, Parwanoo,
District Solan .. Petitioner.

versus

Managing Director, M/s Manserve Techno corporate
services Pvt. Ltd. sector-3, Parwanoo (H. P.)

M/s Shivathene Linopack Ltd., Sector-3, Parwanoo
(H. P.) .. Respondents.

Claim under section 10 to the Industrial Dispute Act,
1947.

For petitioner: Shri J. C. Bhardwaj, AR.

For respondent: Shri V. K. Gupta, AR.

AWARD

This reference was received from the appropriate Government on 7-7-1993 with regards to the demands of the workman. The reference is reproduced hereunder:—

1. "कि क्या मैसर्ज शिवाथिन लिन पैक लि० प्लाट नं० 1-ए, सैक्टर-3, परवाणु में कार्यरत कामगार कार्यकारी निदेशक मै० शिवाथिन लिनोपैक लि०, परवाणु द्वारा अपने अधीन सीधे रूप में नौकरी पर नियुक्त किये गये हैं अथवा प्रबन्ध निदेशक मै० मैसर्स टैकनो कारपोरेट सर्विसेज प्रा० लि०, परवाणु (ठेकेदार कम्पनी) द्वारा कारखाना में नौकरी पर नियुक्त किए गए हैं।"

2. "क्या मांग पत्र दिनांक 19-6-92 में दिए गए विवरण अनुसार सर्व श्री सन पाल त्यागी, परम राम, कर्म चन्द, शिव दत्त, मेहर चन्द, पवन कुमार, कर्म सिंह, लक्ष्मण पण्डित और हरमिन्द सिंह क्रमशः दिनांक 16-4-92, 3-4-92, 21-11-91, 1-9-91, 25-6-91, 18-12-91, 23-10-89, 15-9-91 और 24-2-91 से कुल वेतन पर वार्षिक वृद्धि के पात्र हैं।" यदि हां तो उपरोक्त कामगार उपरोक्त ठेकेदार अथवा मुख्य नियोजक से मदद संख्या एक के निर्णय अनुसार किस वेतन वृद्धि एवं राहत के पात्र हैं।"

2. After receiving the reference, the notice were issued to the parties. The petitioner as well as the respondent appeared in the Court. The petitioners filed the claim and the respondents filed the reply. The petitioners also filed the replication. On the basis of the reference and pleadings of the parties, my learned predecessor framed the following issues on 17-1-1994:—

- Whether the petitioners are the employees of M/s Shivathene Linopack, respondent No. 2? OPR.
- Whether the petitioners are entitled to annual increments on the respective dates which are shown in the reference? OPR.
- Whether the reference is not maintainable because General Secretary of the Union cannot be a party to the reference? OPR.
- Whether no demand was raised against M/s Manserve Techno Corporate Services, Parwanoo (Respondent No. 1)? If so, its effect? OPR.
- Relief.

3. Evidence of the petitioners and the respondents were also recorded. Finally, the matter was decided on merits. The matter was amicably settled between the petitioner union and the management. To this effect, authorised representative of the petitioner union Shri A. K. Sharma made some statement on 24-11-1994 that the matter has been settled with the management and right from 1-1-1995 to Rs. 35/- as increment would be paid annually to each workers and prior to 1-1-1995, the

increment has been given up by the workers. The said statement has been accepted to be correct by Shri V. K. Gupta, representative of the respondent. On the basis of the statement made by Shri A. K. Sharma, AR of the petitioner union, Shri V. K. Gupta, appearing on behalf of the respondent my learned predecessor passed award on the same date i. e. 24-11-1994. This award was again challenged in the Honble High Court by the petitioners union. The Hon'ble High Court remanded the case to this court after setting aside the award and framed three points with the directions to this court to decide the matter afresh.

- First point was to give opportunity to the respective parties to substantiate their respective stand about the legality and propriety as also the validity of the settlement said to have been entered into and as to whether the same satisfy the requirements of the rules before it can be acted upon;
- If the settlement is found in the opinion of the Labour Court to be in conformity with law and rules governing such settlement, pass orders in accordance with the settlement, failing which;
- Proceed with the hearing of the reference from the stage, it has been stopped prior to the recording of the settlement and passing award thereon, after giving any further opportunity as the Labour Court may deem fit and decide the dispute referred for its adjudication on merits, in accordance with law.

4. After receiving the case file along with the order of the Hon'ble High Court, the parties were given opportunities. In order to found out whether Shri A. K. Sharma, AR of the petitioner union was competent to make a statement and it was a valid settlement between the parties i. e. the petitioner union and the respondents. Statement of Shri A. K. Sharma was recorded on 8-12-1999 where in Shri A. K. Sharma stated that in the year, 1994, he was AR of the Shivathene Linopack Workers Union and he was authorised by the General Secretary of the union Shri Kapoor Chand. He made statement after consulting the union members as they agreed to accept the offer made by the management. The workers are getting the benefit of annual increment after the decision. There is no malafide on his part nor the workers were deprived from these dues. His authoritly letter is Ex. CA, which is correct. He was cross-examined by Shri J. C. Bhardwaj and deposed that he was authorised by the General House by way of resolution. The company is still in existence and registered under the companies Act. At that time, when settlement was arrived at, benefits were received by the workers.

5. On the other hand, Shri J. C. Bhardwaj, made a statement that the petitioners were informed to attend the court, but they did not turn up today. Therefore, the matter was closed as the petitioner union failed to clarify whether the statement made by Shri A. K. Sharma, AR of the petitioner union was not in consonance with the demands of the union.

6. In view of the demand notice of the union, they demanded Rs. 55/- as increment, whereas during the settlement with the management and the statement made in the Court, the union agreed to receive Rs. 35/- with effect from 1-1-1995 as annual increment to each worker. A compromise is always bilateral and means a mutual adjustment. A compromise means an agreement or adjustment for the settlement of a controversy by mutual concession, other involving partial surrender. Mr. A. K. Sharma was the authorised representative of the union and he was authorised by Shri Kapoor Chand the then General Secretary of the Union in the year, 1994. In the year, 1995 onwards, the office bearers of the union were changed and some other person headed the union as the General Secretary and the President. Now this will not nullify the action on the part of the then General Secretary, who acted on the part of the union. This settlement was not before the Conciliation Officer, but it was made in the Court and the AR Shri A. K. Sharma

made a statement on behalf of the union, who was duly authorised and the above said statement was duly accepted by the management. This point has further been strengthened by the Hon'ble Madhya Pradesh High Court in a case titled 1999 LLR-668 in a case titled *Jila Sahkari Kendriya Bank V. P. O. Labour Court, Jabalpur and another*.

7. So it cannot be said that there was any *malafide* on the part of Shri A. K. Sharma and he was not authorised by the Union to make a statement in order to enter into amicable settlement with the management. He testified his stand while appearing in the Court. Then the statement was made after getting the consent of the workers and this statement made was for the betterment of the union. If any statement is made in the Court and there is a partial surrender of the demand of the union because it happens in the compromise arrived at between the petitioner union and the management is valid. So, it will not be presumed that subsequent office bearers shall be given a handle to nullify the actions or action of the earlier union. If this thing is allowed to go, there is no end to the litigation and whenever there is change in the union leader, they will take a contrary stand. Therefore, I am of the opinion that in view of the clarification made by the Hon'ble High Court, the settlement which has been arrived at in the Court is valid settlement between the worker union and the management and it satisfies the requirement of the rules because it was not a settlement under Section 2 (p) or before the Conciliation Officer, it was a settlement while making a statement in the Court. Even, I gave an opportunity to both the parties in order to show to the Court that the statement made on behalf of the workers by the AR is lacking authority to represent or there is *malafide* on his part. The opportunity so given was not availed by the petitioner who agitated the earlier order. Being a time bound matter, no further date could be extended to give opportunity to some of the workers of the union who agitated the earlier order. So I am of the opinion that the statement made by Shri A. K. Sharma was the correct and the consent was of the union/ general house and the union had accepted the increment as agreed by the respondent management and each worker is getting Rs. 35.00 as increment. So I am of the confirm view that the earlier order passed on the statement of Shri A. K. Sharma as passed by my learned predecessor suffers no infirmity and the petitioners are only entitled to Rs. 35.00 increment right from 1-1-1995 onwards as agreed. The reference is answered accordingly. Let a copy of this award be sent to the appropriate Government for its publication in the H. P. Rajpatra.

Announced in the open Court to day this 8th Day of December, 1999.

Seal, Sd/-
(M. R. CHAUDHARY),
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Shri M. R. Chaudhary, Presiding Judge,
H. P. Labour court, camp Mandi

Ref. 234/98.

Instituted on : 26-10-1998

Decided on 16-12-1999

Naresh Kumar .. Petitioner.

Versus

I & PH Department, Baggi Division, Baggi, District Mandi,
Himachal Pradesh .. Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For petitioner : Petitioner in person

For respondent : Shri K. K. Gupta, Respondent

AWARD

This reference has been received from the appropriate Government on 24-10-1998 with regard to the termination of the petitioner. The reference is reproduced hereunder:—

“Whether the termination of services of Shri Naresh Kumar, son of Shri Rattan Singh, Village Luna-pani, P. O. Bhangrotu, Tehsil & District Mandi, H. P. by the Executive Engineer, Irrigation and Public Health Division, Baggi, District Mandi, H. P. w. e. f. 1-6-1994 on completion of 240 days continuous service, without any notice, enquiry, charge-sheet & further without compliance of section 25-F of the Industrial Disputes Act, 1947, is legal & justified? If not, to what relief of past service benefits including backwages, continuity in service & amount of compensation, Shri Naresh Kumar is entitled?”

2. After receiving the reference, the notices were issued to both the parties. In compliance of the notices, both the parties appeared in the Court. The petitioner filed the statement of claim, wherein it is averred that the petitioner was appointed as dailywager by the respondent on 1-9-1991. He worked with the respondents from 1-9-1991 to 31-12-1991 for 106 days, from 1-1-1992 to 31-12-1992, he worked for 353 days, from 1-1-1993 to 31-12-1993 the petitioner worked for 351 days and from 1-1-1994 to 31-5-1994 he worked with the respondent for 148 days. He claimed that he be reengaged in the same capacity with back wages.

3. Reply to the claim was filed by the respondent where in the following preliminary objection was taken that the application of the applicant is not maintainable in the present form as he has left the job as beldar in the month of May, 1991 and is also time barred.

4. On merits, it is averred that the petitioner in his petition has sought the direction to the respondent to reinstatement in service. It is further averred that the petitioner initially engaged as a daily rated Beldar w. e. f. 14-9-1991 and not on 1-1-1991 and has worked as such for 106 days in the year, 1991, for 353 days in the year, 1992, 351 1/2 days in the calendar year, 1993 and for 148 days in the year, 1994 upto 31-5-1994, intermittently. The details of the working days is appended as Annexure RA. Thereafter, the petitioner abandoned the job of his own and did not turn back thereby causing an irreparable loss to the department in the early execution/completion of works on which he was deployed. The other workers on the same muster roll had worked throughout the month whereas the petitioner did not bother to resume his duties or to contact any concerned authority. In nut shall the claim of the petitioner was controverted and denied.

5. On the basis of the reference and the pleadings of the parties, the following issues were framed on 23-3-1999:—

1. Whether the termination of the petitioner is illegal in view of section 25-F of the Industrial Disputes Act, 1947? If so, its effect? OPp

2. Relief.

6. I have heard the parties present in the court at length and have gone through the entire record. To decide the fate of the issues, my findings are as under :—

FINDINGS

Issue No. 1
Relief

Yes.
Petition accepted.

REASONS FOR FINDINGS

7. Issue No. 1.—First of all, I will discuss the oral as well as the documentary evidence of both the parties.

The petitioner appeared as PW-1 and deposed that he was appointed as daily wager in September, 1991 and he was removed from job in May, 1994. He was not given any notice of retrenchment nor any compensation in lieu of this was paid by the respondent. He worked for more than 240 days with the respondent from 1991 till his retrenchment in 1994. He worked continuously with the respondent. After his retrenchment new recruitment was made by the respondent, but he was not kept by the respondents. He requested orally many time to the respondent to reengage him, but to no avail. He may be re-instated with back wages. He tendered the record Ex. P-1 in evidence. He was working in Balh Valley Project in the year, 1994. He did not know whether the workers working in that scheme were retrenched. He also did not know whether the department is having no money to pay the workers retained by the respondent.

8. On the other hand, the respondent examined Shri K. K. Gupta as RW-1, who deposed that he is posted as Executive Engineer in I & PH since January, 1999. He is well conservant with the case of the petitioner. He deposed that the respondent has not terminated the services of the petitioner rather he left the job of his own. When left the job, he never approached the respondent at any point of time for re-engagement, which implies that he was having some gainful employment either at home in farm of agriculture or somewhere else. Even as alleged, he left the job or retrenched in 1994 is highly delayed reference need to be justified by the petitioner. Accordingly, there is no merit in the petition. He also tendered in evidence Ex R-1 muster rolls. ExRB, Ex. RC and Ex. R.D. Copy of the order Ex. RE. Even if it is admitted that after May, 1994 he should have continued, then it is important to mentioned here that in December, 1994 a large scale retrenchment of workers was done by the department on closure of Balh Valley Project and the retrenchment of 166 workers has been upheld by this court as well as the Hon'ble High Court of H. P. which implies that in any case, he was to be retrenched in December, 1994. The reference is due to the fact that since the rates of workers have been enhanced to large extent moreover the policy of government has come up to regularise the services of workers having 9 years service at present which is likely to reduced as per Government instruction to 5 years in the next few years, So it is this interest which has motivated these workers to come to the Courts, inspite of the fact that they left the job of their own. However, he admitted that no notice of retrenchment was given to the petitioner nor any retrenchment compensation in lieu of notice was given. He also admitted that the petitioner right from 1991 till termination till May, 1994 worked continuously. He also admitted that the petitioner worked for more than 240 days in a calendar year. When the other workers retrenched, the petitioner was not given any notice. No intimation was given to the petitioner as to why he has left the job. He was not aware that if the petitioner before his joining in January, 1999 approached any of the officer of the respondent for re-engagement. He further admitted that Kuldeep Singh and Tulsi Ram are still working being junior to the petitioner and they have not left the job. This is the oral as well as the documentary evidence of both the parties.

9. In view of the reference, the petitioner worked right from 1991 till May, 1994 continuously with the respondent. Meaning thereby that he had completed 240 days in a calendar year. It was incumbent upon the respondent to comply the provisions of section 25-F of the Industrial Disputes Act, 1947. So far the stand of the respondent department, that some intimation could have been given to the petitioner as to why he had left the job but No such intimation was given by the respondent as admitted by RW-1. There is no record placed before this Court from which date the petitioner is gainfully employed or left the job of his own. Had it been so, the petitioner could have not approached the Conciliation Officer. Then he could have also not raised the Industrial Dispute. So far the next contention of the respondent that the petitioner did not approach the respondent. Had it been so he could not have raised the industrial dispute.

10. The petitioner was terminated in the year, 1994. Immediately, he approached the Conciliation Officer, thereafter, the conciliation proceedings was initiated and the matter was referred to the state Government and the appropriate Government referred the matter to this court in the year, 1998. Meaning thereby that the petitioner was continuously following his case with the Labour Officer and then to the department concerned for re-engagement. Once it is proved that the petitioner has worked for more than 240 days with the respondent, then the respondent was required to follow the provisions as laid down in the Industrial Disputes Act and section 25-F of the Act was to be followed before retrenchment order was to be passed by the respondent. To this effect, there is law settled by the Hon'ble Supreme Court of India and various High Courts of the country. The Hon'ble Supreme Court in a case 1981 (3) SCC-225 in a case *Mohan Lal v. Management of M/s Bharat Electrical Ltd.* Similar view was again re-called in a case 1985 (4) SCC-78 in a case titled *Management of Standard Motor Product of India Ltd. v. Parthasarathi and other.* In such matters, our own Hon'ble High Court has laid down a law in a case reported in 1999-LLJ-II-304 in a case titled *Jasbir Singh v. State of H. P. & others.*

11. Now the question of delay is also contended by the respondent in the reply. The limitation act is not applicable to the proceedings before the Labour Court. This point has been well settled that the Article 137 is not attracted in the proceedings. This has been held in a case LLR-1999-529 in a case titled *Ajaib Singh v. The Sirhind Co-operative Marketing cum Progressing Service Society Ltd. and ANR.*

12. So keeping in view the amount of evidence of both the parties and the law discussed aforesaid, I am of the confirmed view and opinion that the termination of the petitioner is illegal. Therefore, the point is answered accordingly in favour of the petitioner.

RELIEF

13. Keeping in view the aforesaid findings and discussions. I hold that the petitioner has completed 240 days continuously in calendar year with the respondent as he was employed in 1991 and his services were terminated in May, 1994 without following the provisions of Section 25-F of the Industrial Disputes Act. Therefore, he is entitled for re-instatement with continuity of service. However, so for the back wages are concerned, as there is little delay, I award only 40 % back wages from the date of termination till re-engagement. Reference is answered accordingly. Let a copy of this award be sent to the appropriate Government for its publication in the H. P. Rajpatra in accordance with law.

Announced in the open Court today this 16th Day of December, 1999.

Sd/-

Seal.

(M. R. CHAUDHARY),
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour
Court, Shimla.

In the Court of Shri M. R. Chaudhary, Presiding Judge
Himachal Pradesh Industrial Tribunal cum Labour
Court at Shimla.

Reference No : 65 of 1999

Instituted on : 06-4-1999

Decided on : 16-12-1999

Sh. Ram Lal s/o Sh. Dinku Ram, r/o Vill-Dadaur,
Teh-Sundernagar, Distt. Mandi (H.P.) Petitioner.

Vs.

1. The Executive Engineer Irrigation & Public
Health Division Baggi, Distt. Mandi (H.P.).

2. Executive Engineer Irrigation & Public Health Division Sunder Nagar, Distt. Mandi (H.P.).

3. The Chief Engineer, Irrigation & Public Health H.P. Shimla (Now at Mandi) .. Respondents.

Reference under Section 10 of Industrial Disputes Act, 1947.

AWARD

For Petitioner : Sh. Hem Raj, AR.

For Respondents Sh. K. K. Gupta AR.

This is a reference received from the appropriate Government with regard to illegal termination of the petitioner. The terms of the reference so referred are given hereunder :-

(1) Whether the termination of services of Sh. Ram Lal, daily wages worker by (1) Executive Engineer Irrigation & Public Health Division Baggi, Distt. Mandi (H.P.) (2) Executive Engineer Irrigation & Public Health Division Sunder Nagar, Distt. Mandi (H.P.) and (3) Chief Engineer Irrigation & Public Health Division at Shimla w.e.f. 01-12-1989 without notice, charge sheet enquiry and without compliance of Section 25-F of the Industrial Disputes Act on completion of 230 days continuous service, is legal and justified. If not to what relief of service benefit including back wages, seniority and amount of compensation, Sh. Ram Lal is entitled ?

(2) Whether Sh. Ram Lal daily wage worker had abandoned the duties on his own, as alleged. If not, to what effect ?

2. After the receipt of the reference, notices were issued to both the parties. In compliance of the notices, both the parties appeared in the court and the petitioner filed statement of claim wherein it is averred that he was appointed on the daily wages basis on 01-2-1978 by the respondent No. 1 & 2 as beldar and worked as such regularly upto 30-11-1989 and he was terminated from the services by the respondents on 01-12-1989. During his employment, he performed his duties under IPH Division Mandi till 1980 and there after he worked under Sunder Nagar Division till 1983. Again he was ordered to work at Baggi wherein he worked w.e.f. 21-5-1984 to 30-11-1984.

3. It is further averred in the petition that at the time of termination neither any notice was served nor salary in lieu of that was paid. No retrenchment compensation was paid or tendered. After his termination, several fresh hands were recruited such as Bhawani Singh, Anand Ram, Devi Ram, Chet Ram, Barlaju Ram, Krishnu Ram, Bulu Ram etc. etc. and he was not offered any opportunity of re-employment. He has put in more than 240 days continuous service. He prayed for his re-instatement with full back wages and allied service benefits.

4. Reply to the claim was filed by the respondents wherein preliminary objections was raised that the present petition is not maintainable as the petitioner has left the job of beldar in the month of July, 1987 and the same is also time barred. On Merit, it is submitted that the petitioner was engaged by respondent No. 1 on 02-12-1983 and worked for 30 days in that year. It is further submitted that the petitioner worked for 302 days in the year of 1984, 321 days in the year of 1985, 112-1/2 days in the year of 1986 and 85-1/2 days in the year of 1987. The details of mandays of Sh. Ram Lal is appended as Annexure R-A. It is averred that the petitioner has left the job at his own. In nutshell, the claim of the petitioner was controverted and denied.

5. On the basis of pleading and reference, following issues were framed :-

(1) Whether the termination of the petitioner is illegal in view of Section-25F of the Industrial Disputes Act, 1947 ? If so, its effect ?

OPP.

(2) Whether the petitioner has left the job of his own, if so, its effect ?

(3) Relief.

6. I have heard the parties at length present in the court and gone through the entire record placed on file. My findings on the issues are as under :-

(1) Issue No. 1	Yes.
(2) Issue No. 2	No
(3) Relief	Petition accepted.

REASONS FOR FINDINGS

7. The petitioner himself appeared as PW-1 and deposed that he was employed by the respondent in the year of 1978 and worked upto 1989 continuously. He further deposed that when his services were disengaged by the respondent, no notice was given to him, nor any compensation was paid. No enquiry was conducted against him. He never left the job at his own and he was terminated while junior person Sarav Shri Bhawani Singh, Anant Ram, Krishnu and Jogi Ram etc. etc. were retained in service. He also deposed that he is no where in the employment after termination. In his cross examination, he deposed that when he was in service, one Sh. Chiranji Lal was the Junior Engineer. He is Middle fail, he worked for more than 240 days with the respondent continuously. Many times, he represented to the respondents orally. He denied that he left the job at his own. He also deposed that certain junior persons are still working with the respondents. The petitioner after appearing himself as witness closed his evidence.

8. The respondent produced one witness Sh. K. K. Gupta and deposed that he is posted as an Executive Engineer and is well acquainted with the case of the petitioner. He deposed that the respondent has not terminated the services of the petitioner rather he left the job at his own. When the petitioner left the job he never approached the respondent for re-employment. He also deposed that the petition has been filed after highly belated stage. In his cross examination, he admitted that he was posted as XEN in the year of 1989. He also admitted that what happened prior to his appointment he did not know if the petitioner approached the concerned Executive Engineer after 1987. He also admitted that no letter was written to the petitioner as to why he was not joining his duties, neither any enquiry was conducted nor retrenchment order was passed. He was not aware that the petitioner was gainfully employed or not. This was the oral as well as documentary evidence of both the parties.

9. In view of Ex. R-1 placed on record by the respondent, the petitioner worked in the year, 1984 for 302 days, in the year, 1985 for 321 days, in the year 1986 for 112-1/2 days. Prior to 1983, no record has been placed in Court nor the copies of the muster roll have been placed nor shown or tendered in evidence. From the perusal of Ex. R-1, the petitioner worked for more than 240 days with the respondent and once it is proved if any retrenchment order is to be passed, Section 25-F of the Industrial Disputes Act, 1947 is to be complied with. As per admission, no retrenchment order was passed by the respondent. Meaning thereby that there is no compliance of Section 25-F of the Industrial Disputes Act, 1947, which is mandatory and to be followed by the respondent at the time of retrenchment/termination of the petitioner. To this effect, the law is well settled in a case

reported in 1981 (3) SCC-225 titled *Mohan Lal vs. Management of M/s Bharat Electrical Ltd.*, Similar proposition has been held in 1982 (1) SCC-645 in a case titled *Rover D'Suza v. Executive Engineer Southern Railway and others*. Similar view was again recalled by the Hon'ble Supreme Court in a case 1985 (4) SCC-78 in a case titled *Management of Standard Motor Product of India Ltd v. Parthasarathi and Others*. In such matter, the latest authority of our own Hon'ble High Court had laid down in a case LLJ (II) 1999-304 in a case titled *Ajaib Singh v. State of Himachal Pradesh and Ors.* So, keeping in view the amount of evidence of both the parties, I conclude that the respondents failed to comply the legal provisions i. e. Section 25-F of the Act because the petitioner had worked for more than 240 days in a calendar year with the respondent. Therefore, the termination/retrenchment of the petitioner is illegal and the point is answered accordingly.

Issue No. 2

10. The claim of the petitioner is that his services were terminated in the year, 1987 without any notice; no retrenchment compensation was paid to the petitioner by the respondent. On the other hand, the claim of the respondent is that the petitioner left the job of his own. So, he is not entitled for any notice, nor any compensation in lieu of notice. The onus to prove this issue was on the respondent. No record has been placed that at any point of time the respondent issued any letter to the petitioner as to why the petitioner has left the job and why he is not joining the duties, because as per the reply of the respondent, the department suffered huge losses because the petitioner left the job of his own. No such letter either was written nor received by the petitioner. Rather, it is admitted by the RW-1 that no letter was written to the petitioner as to why the petitioner left the job. On the other hand, PW-1 deposed that he never left the job himself, rather he approached the officer time and again as the junior persons were engaged and he was not kept. The junior persons retained by the respondent are Bhawani Singh, Anant Ram, Krishu and Jogi Ram etc. The stand of the petitioner is that he was assured by the respondent wait and see and he will be given the employment, but to no avail. Resultantly, he gave a notice to the respondent and raised the Industrial Dispute. If a person left the job of his own, then he could have not raised the industrial dispute, had he been gainfully employed, he could have not raised the industrial dispute. When any person who continuously worked right from 1982 till 1987 and will not leave the job, if he left the job, it was incumbent upon the respondent to give some notice because the respondent in reply admitted that department suffered heavy losses. No such record has been placed on file nor defended on such line by the respondent. Therefore, I conclude that the petitioner has not left the job of his own as stated by the respondent nor the respondent could prove that the petitioner left the job of his own. Second contention of the respondent in its reply and the statement of RW-1 is that the petitioner has preferred his claim belatedly and barred by limitation and is not maintainable. In reply, one copy of the order of the Administrative Tribunal has been annexed. In view of this copy of the order, this is of no help to the respondent because limitation and Article 137 is not applicable in such proceedings under the Industrial law. This point has been elaborately discussed in a case LLR-1999-529 in a case titled *Ajaib Singh v. The Sirhind Co-operative Marketing-cum-Processing Service Ltd and Anr.* There is another authority on the point of delay that if the reference has been raised after a gap of about 7 or 10 years, the Hon'ble Supreme Court in a case LLJ (II) 1999-482 in a case titled *Mahavir Singh v. U. P. State Electricity Board and Others*. It is also clarified by the Hon'ble Supreme Court of India that if reference is belatedly raised by the petitioner, then the discretion is with the Court that after re-instatement whether the petitioner is entitled for full back wages from the date of termination or the amount so determined by the Court, keeping in view the reference. Therefore, this is decided against the respondent.

RELIEF

11. Keeping in view the aforesaid findings and discussions, I hold that the petitioner did not leave the job of

his own as the respondent failed to prove the same. Therefore, the petitioner worked for more than 240 days and there is non-compliance of Section 25-F of the Act. Therefore, I order re-instatement with continuity in service of the petitioner. However, the reference has been raised late. Therefore, the petitioner is awarded only 10% back wages. Reference answered in affirmative. Let a copy of this award be sent to the appropriate Government for its publication in the H.P. Rajpatra.

Announced in the Open Court today this 16th day of December, 1999.

Sd/-
(M. R. CHAUDHARY),
Presiding Judge.
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Shri M. R. Chaudhary, Presiding Judge,
Himachal Pradesh Labour Court, Shimla Camp
Mandi

Ref. No : 271 of 1998

Instituted on : 28-11-1998

Decided on : 14-12-1999

Shri Abdul Rehman Ansari son of Shri Sher
Mohand r/o Bhojpur, Sundernagar, District Mandi.
.. Petitioner.

Versus

Executive Engineer, HPSEB, Sundernagar, District
Mandi, H. P. .. Respondent

Reference petition under Section 10 of the Industrial
Disputes Act, 1947.

For petitioner : Shri J. D. Dogra Advocate.

For respondent : Shri Joginder Thakur, Advocate.

AWARD

This reference has been received from the appropriate Government on 28-11-1998 with regard to the termination of the services of the petitioner. The reference is reproduced hereunder :—

"Whether the termination of services of Shri Abdul Rehman by the Executive Engineer Electrical Division, HPSEB, Sundernagar, District Mandi, w.e.f. December, 1984, without any notice, chargesheet, enquiry and without compliance of section 25-F of the Industrial Disputes Act, 1947 is legal and justified, if not, to what relief of service benefits including back wages, seniority and amount of compensation, Shri Abdul Rehman, is entitled ?"

2. After receiving the reference, the notices were issued to both the parties. Both the parties appeared in the Court. The petitioner filed the statement of claim, wherein it is averred that he had been engaged on daily wages as meter reader Clerk in the year, 1979 and remained upto December, 1984. The respondent without any intimation or any notice removed the petitioner from the said service without back wages, the wages of the period of notice and other benefits for which he was entitled to. The petitioner made many representation and also remained in touch through various correspondences with SE HPSEB Bilaspur and also with other concerned agencies. Thereafter, on the letter of Joint Secretary the petitioner was again engaged as Meter Reader Clerk for 89 days in the investigation construction Division HPSEB, Sundernagar and remained in service

from 15-9-1994 to 1995. The said division was transferred from Sundernagar to Jeauri, Rampur Busher but the services of the petitioner were not transferred along with the division and was removed from the said job. The petitioner then moved the Hon'ble High Court and filed a CWP. The Hon'ble High Court directed the respondent to engage the petitioner as a workman for 89 days. On this direction, the respondent engaged the petitioner as workman in PLCC Division, HPSEB, Sundernagar.

3. Then again the respondent after completion of 89 days removed the petitioner from the said job on dated 23-11-1996, then the petitioner filed the case before the H.P. Administrative Tribunal and had taken back the same and filed the application for the backwages and to re-engage the petitioner in the old job, before the Labour-cum-Conciliation Officer, Sundernagar. The Labour Inspector recorded the statements of both the parties and heard the parties at length and in his report it was observed that other workmen who were serving with the petitioner are made regular employees of HPSEB where as the right of the petitioner have been ignored by the respondent and has been deprived from his right of service. It is pertinent to mention here that the petitioner was engaged as Clerk on daily wages, whereas the muster roll used to be issued of beldar. It is prayed that he be re-instated with full back wages.

4. Reply to the petition was filed by the respondent, wherein the following preliminary objections were taken that the application discloses no enforceable cause of action in favour of the petitioner and against the respondent. That no legal or vested right of the applicant herein have been infringed or violated, which warrants the interference of this Court. It is also stated that the relief herein prayed for is accient and therefore, is hit by the vice of delay and laches and cannot consequently be entertained at this belated stage of time. This being so, the claim petition deserves out right dismissal.

5. On merits, it is averred that the petitioner was engaged as beldar on daily wages basis w.e.f. 1980 instead of 1979 as alleged and remained on roll upto 1984 in Elect. Division HPSEB Sundernagar. There after upto 1994, he never worked in any of the office of the HPSEB. It is further averred that the services of the petitioner were never terminated in the year, 1984 as alleged rather he left the services at his own will for the reasons best known to him. The petitioner after 25-9-84 never attended his duties in Elect. Division Sundernagar nor any intimation or application was received regarding his absence by the respondent. As already submitted above, the respondent never terminated the services of the petitioner therefore, there was absolutely no necessity to comply with the provisions of section 25-F of the Industrial Disputes Act, 1947.

6. It is further submitted that on the petitioner's request purely on humanitarian grounds he was again re-employed by the Executive Engineer, Invest-cum-Construction Division No. 1 for Kol Dam Project, HPSEB, Sundernagar against specific work. Thereafter, the head-quarter of the said division with its existing sub divisions along with posts/existing staff was shifted and renamed as Ghanvi Const. Division, H. P. S. E. B. Jeori vide Annexure-R-1. The petitioner never joined at his new place of posting i.e. at Jeori nor any intimation regarding his absence was received thus, he abandoned the job voluntarily for the reasons best known to him. The petitioner again requested for his engagement on daily wage basis for his deployment at Sundernagar only and he was engaged on daily wage basis and worked as such under the control of executive Engineer, PLCC Division, HPSEB, Sundernagar for a specific work. He worked in the said division w.e.f. 24-5-96 to 23-11-96. The services of the petitioner were never terminated, rather he himself left the services at his own will. In fact, the petitioner was quite casual so far as attending to his official duties and never completed 240 days service in

in any year. Since the petitioner never joined at Ghanvi Const. Division No. 1 at Jeori after its shifting and renaming from Sundernagar so it is quite wrong to say that he was not transferred alongwith other staff from Sundernagar to Ghanvi Const. Division No. 1 Jeori. He was never removed from services by the respondent. Meaning thereby that he left the services at his own for the reasons best known to him.

7. It is admitted that the petitioner was engaged for 89 days on the directions of the Hon'ble High Court in the PLCC Division, H.P.S.E.B. Sundernagar against the specific work w.e.f. 24-5-96 to 23-11-1996. The matter was raised before the Administrative Tribunal then the matter was withdrawn and the industrial dispute was raised as admitted and alleged by the respondent. In nutshell the claim of the petitioner was controverted and denied.

8. On the basis of the references and the pleadings of the parties, the following issues were framed on 11-8-1999:—

1. whether the termination of the petitioner is illegal in view of section 25-F of the Industrial Disputes Act, 1947? If so, its effect? .. OPP.

2. Relief.

9. I have heard parties present in the Court and gone through the entire record. To decide the fate of the issues, my findings are as under:—

FINDINGS

Issue No. 1.

Yes.

RELIEF :

PETITION ACCEPTED.

REASONS FOR FINDINGS

10. ISSUE NO.1—First of all, I will discuss the oral as well as documentary evidence of both the parties.

In order to decide whether the termination of the petitioner is illegal as per reference sent by the appropriate Government. The petitioner appeared as PW-1 and deposed that he was appointed by the respondent as Metter Ledger Clerk in the year, 1979 and worked as such upto December, 1984. He further deposed that he was terminated from service without any notice and the respondent also failed to pay retrenchment compensation. He made representation to S.E. Bilaspur who after verifying the fact, reappointed him on 15-9-1994. Thereafter he was asked to work PLCC of the HPSEB, Sundernagar. Respondent again terminated him from service. Thereafter, he approached the Hon'ble High Court and matter was sent to the Administrative Tribunal. He withdrew the case from Tribunal and approached this court. He worked with the respondent for more than 240 days and no notice under section 25-F of the Industrial Disputes Act was given to him. Junior persons were retained such as Hari Singh and he was not offered any job. He prayed for reinstatement. In his cross examination he admitted that he was employed by the respondent in the year 1980 and not in 1979. He also deposed that the enquiry with regard to work was conducted by the SE and then by XEN and SDO, then he was retained in the job. In the year 1994, he worked with the investigation cum-construction division. No. 1 Kol dam project that is also owned by the PSEB. He was appointed for 89 days. The investigation division from Kol Dam was shifted to Jeori along with staff. For some time, he worked at Sundernagar after the transfer of division to Jeori, he worked in the Accounts section at Sundernagar and when the said section was transferred, the respondent refused to accept his joining. He denied that he refused to join at Jeori. He denied that after 1984, he never approached the department for employment. He also denied that he left the job of his own. He also denied that he had not completed 240 days.

11. On the other hand respondent examined as many as three RES. RW-1 Shri S.S. Thakur deposed that the petitioner worked with the respondent w. e. f. 1980 till 1984 as daily wages clerk (MLC). The attendance of the petitioner is marked in Ex. R-1. After 1984, the petitioner is not work with the respondent. After 1984; the petitioner worked again with the respondent, but not in his division, in the same capacity as Clerk and worked as such from 24-5-1996 to 23-11-1996 in PLCC Division Sundernagar. He admitted that the petitioner worked continuously with the respondent for 240 days vide Ex-R 1. Again the petitioner was sifted from Executive Engineer, Investigation cum construction Division No. 1, Kol Dam, Sundernagar i. e. again under HPSEB. This division further was shifted to Ghanwi at Jeori, vide Ex. R-2. The petitioner thereafter did not approach him personally nor he made any representation. In cross-examination, he deposed that he cannot say when the staff of Kol Dam was shifted to Jeori, not any order with regard to the transfer of staff of also issued. He also did not know when this division was shifted from Sundernagar to Jeori. The petitioner was asked to work at Sundernagar in the accounts section. He did not know *qua* the retrenchment nor he knew *qua* the retrenchment compensation was paid to the petitioner or not. He admitted that many workcharge have been made regular after the termination. He did not know Hari Singh, Vishwa Bandhu, Sheela Devi, Sita Devi, Ashwani Kumar and Aruna Devi were all daily wages Clerk, and they have been regularised and they have been working the same division.

12. RW-12 Shri Sarwan Singh deposed that he has brought the original record pertaining to the petitioner. The Construction Division of Sundernagar was transferred to Ghanwi Division, Jeori vide Ex. R-3. He did not know whether the petitioner joined at Ghanwi at Jeori or not.

13. RW-3 Shri S. S. H. Tulsiani deposed that he is posted as Executive Engineer since April, 1995. He has brought the original record. He received the letter from the Secretary dated 3-11-1995 to the effect of daily wagers engagement in the Ghanwi Division. The copy of the letter is Ex. RW-3/A. The said letter was received to engage daily wagers for 89 days only pertaining to adbul Rehman. The petitioner did not approach him for engagement nor he filed any application. He sent a letter to the IRO, HPSEB Shilmla vide Ex. RW-3/B. The Kol Dam Division which was in existence at Sundernagar was shifted to Jeori as Ghanwi Division on 20-4-1995. In cross-examination, he deposed that he did not know whether the petitioner on the directions of the Hon'ble High Court joined with the Secretary on 30-10-1995. The letter pertains to Secretary HPSEB is EX. RW-3/C. He did not know whether the Secretary took the joining of the petitioner or not. He is not aware if the petitioner was working with PLCC Division HPSEB at Sundernagar. However, he admitted that PLCC division is under the central of HPSEB. He is not aware about the seniority maintained by the HPSEB. Seniority list is Ex. RW-3/D. The Secretary took the joining of the petitioner, but he is not aware, nor can be disobey the orders of the Secretary of the Board. He is not aware if the petitioner was not allowed to join the duties inspite of the orders of the Hon'ble High Court. He is also not aware if the petitioner gone to foreign country for one month in order to meet his relation. He denied that purposely the petitioner was not allowed to join the job. No information was given by the Secretary HPSEB that the petitioner has joined the job. He denied that the respondent failed to comply the orders of the secretary of the Board. He denied that the petitioner was not allowed to join the job and thereafter he raised the industrial dispute.

14. In view of the reference this Court is to determine whether the termination of the petitioner by the respondent is illegal in view of Section 25-F of the Industrial Disputes Act, 1947 or not. Now in view of the engagement of the petitioner which has been admitted by the respondent, but the case is that the petitioner

never completed 240 days in a calendar year. However, Ex. R-1 given in court by the petitioner in the year, 1980 completed 240 days. In the year, 1981, the petitioner completed 237 days. In the year, 1982, the petitioner completed 311 days. In the year, 1983 the petitioner completed 245 days and in the year, 1984, the petitioner completed 191 days. However, this documents is taken on record to be a true copy. Then the petitioner admittedly completed 240 days in a calendar year and these 240 days have to be calculated proceeding from the date of termination.

15. In view of the seniority list Ex. RW-3/D, the name of the petitioner falls at serial No. 99. In view of the statement of the petitioner the junior persons the names are such as Hari Singh and others, who were retained by the respondent and then services have been regularised. The witness of the respondent RW-1 is not aware if Hari Singh, Vishwa Bandhu, Sheela Devi, Sita Devi, Ashwani Kumar and Aruna Devi are daily wages clerks and were junior to the petitioner and they were retained by the respondent. The simple claim of the petitioner is that once he had completed 240 days in a calendar year, then the requirement of Section 25-F of the Act is mandatory. The same has not been complied with by the respondent by issuing the legal notice nor any Standing Orders of the Board were complied with, where at least 10 days notice is required to be given to the petitioner. In view of letter EX. RW-3/B, dated 21-7-1999, this letter pertains to the respondent and it is written to the IRO and the case of the petitioner is referred and he was asked to engage the petitioner for 89 days. The petitioner also tendered in evidence the copy of the letter addressed to the Secretary, HPSEB dated 30-10-1995, wherein submitted his joining report. This shows that the petitioner was not reluctant to join the job and he followed the matter consistently by filing writ petition and then filing the application in the H. P. Administrative Tribunal, then further persued the matter with the conciliation officer, who made reference to this Court for decision. All these documents clearly show that the petitioner consistently followed his case, when he was terminated from service by the respondent. With regard to illegal termination, there are certain authorities of the Hon'ble Supreme Court of India that if a person complete 240 days in a calendar year, then the procedure envisaged in Section 25-F of the Act and Standing Orders of the Respondent Board will have to be complied with. This point has been elaborately discussed in a case 1981 (3) SCC-225 in a case MOHAL LAL Vs. MANAGEMENT OF M/S BHARAT ELECTRICAL LTD. Similar Preposition has been held in 1982(1) SCC-645 in a case ROVER D'SUJA EXECUTIVE ENGINEER SOUTHERN RAILWAY AND OTHERS. Similar view was again recalled by the Hon'ble Supreme Court of India in a case 1985(4) SCC-78 in a case MANAGEMENT OF STANDARD MOTOR PRODUCT OF INDIA LTD. Vs. PARTHASARTHI AND OTHERS. In such matters our own Hon'ble High Court has laid down a law in a case reported in LLJ-1999-(2)-304 in a case Jasbir Singh v. State of H.P. AND OTHERS.

16. In view of the law discussed hereinabove, the respondent failed to comply the mandatory provisions of the Industrial Disputes Act, while terminating the services of the petitioner. Therefore, the termination is held to be illegal. The respondent took the preliminary objection that the petition is barred by limitation. Article 137 of the Limitation Act is not applicable in the industrial disputes cases. Law is well settled by Hon'ble Supreme Court of India in a case LLR 1999 P. 529 in a case AJAIB SINGH Vs. THE SIRHIND CO OPERATIVE MARKETING CUM-PROCESSING SERVICE SOCIETY LTD. & ANR.

17. So on account of this also, the contention of the respondent that the matter has been balatedly raised is of no help to the respondent and this contention is repelled. Therefore, I conclude that the petitioner was appointed as MLC as daily wager by the respondent and

his termination is without following the mandatory provisions of the Industrial Disputes Act and is illegal and bad and is set-aside. The point is answered accordingly.

RELIEF :

18. Keeping in view the aforesaid findings and discussions, I hold that the termination of the petitioner is illegal. Therefore, he is entitled for re-instatement as MLC on daily wages basis. The petitioner consistently followed his case and at no point of time, the petitioner was not vigilant to follow his case is not made out. Therefore, I order his re-instatement with full back wages from the date of termination till the petitioner is appointed. Let a copy of this award be sent to the appropriate government for its publication in the H.P. Rajpatra.

Announced in the Open Court today this 14th day of December, 1999.

Seal.

Sd/-
(M. R. CHAUDHARY),
Presiding Judge,
H.P. Industrial Tribunal-cum-
Labour Court, Shimla.

बहुदेशीय परियोजनाएं एवं विद्युत विभाग

अधिसूचना

शिमला-2, 4 मार्च, 2000

सं० एम० पी० पी०-ए० (3) 9/91.—हिमाचल प्रदेश के राज्यपाल, भारतीय विद्युत अधिनियम, 1910 की धारा 27-बी की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा हिमाचल प्रदेश राजा विद्युत बोर्ड जिसका मुख्यालय विद्युत भवन, शिमला-4 में है, को राज्य पारेषण युटीलिटी के रूप में विनिर्दिष्ट करते हैं।

आदेश द्वारा,

हस्ताक्षरित/-
सचिव (विद्युत)।

[Authoritative English text of the Government Notification No. MPP. A (3) 9/91, dated 4-3-2000 as required under Article 348 (3) of the Constitution of India].

MPP AND POWER DEPARTMENT

NOTIFICATION

Shimla-2, the 4th March, 2000

No. MPP-A (3) 9/91.—In exercise of the powers conferred by sub-section (1) of section 27B of the Indian Electricity Act, 1910, the Governor of Himachal Pradesh is hereby specifies the Himachal Pradesh State Electricity Board, having its head office at Vidhut Bhawan, Shimla-4, as the State Transmission Utility.

By order,

Sd/-
Secretary (Powers).

भाग-2—उद्योगिक नियमों को छोड़कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

INDUSTRIES DEPARTMENT

OFFICE ORDER

Solan, the 16th March, 2000

No. US (Dev) (Regn.) (DR)/78-6080.—Whereas Industrial unit under the name and style of M/s

बहुदेशीय परियोजनाएं एवं विद्युत विभाग

अधिसूचना

शिमला, 15 मार्च, 2000

संख्या विद्युत-छ- (5) 5/98.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि राष्ट्रीय जल विद्युत परियोजना निगम समिति (एन० एच० पी० सी०) जो कि भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 के खण्ड (सी० सी०) के अन्तर्गत केंद्रीय सरकार के स्वामित्व और नियन्त्रण के अधीन एक निगम है, के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन हेतु नामतः मुहल डलहौजी, नहसोल डलहौजी, जिला चम्बा में चमेरा जन विद्युत परियोजना प्रथम चरण बाईडरिंग ग्राफ कनेक्शन कलौनी रोड के निर्माण हेतु भूमि ली जानी अपेक्षित है। अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विस्तृत विवरणों में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों के लिए यह घोषणा की जाती है और उक्त भूमि अर्जन अधिनियम, 1894 की धारा 7 के उपबन्धों के अधीन भू-अर्जन समाहर्ता, चमेरा जल विद्युत परियोजना, करीयां, चम्बा, जिला चम्बा को उक्त भूमि के अर्जन के लिए आदेश देने का एतद्वारा निर्देश दिया जाता है।

3. भूमि का रेखांक भू-अर्जन समाहर्ता, चमेरा जल विद्युत परियोजना, करीयां, जिला चम्बा के कार्यालय में निरोक्षण किया जा सकता है।

विवरणी

जिला : चम्बा		तहसील : डलहौजी	
ग्राम	खमरा नं०	क्षेत्र (हेक्टेयरों में)	
डलहौजी खास	226/1	0	00 40
	226/2	0	00 10
	226/3	0	00 28
	226/4	0	00 16
कित्ता	4	0	00 94

आदेश द्वारा,

अजय त्वागी,
सचिव।

PLANNING DEPARTMENT

CORRIGENDUM

Shimla-2, the 26th February, 2000

No. PLG-(F)-(R & D) 1-1/94.—In partial modification to this Department's notification of even No. dated the 14th January, 2000, against rank of Shri Bhupender Singh Chauhan may be read as Group Capt. (Retd.) instead of Wing Commander.

By order,

YOGESH KHANNA,
F. C.-cum-Secretary (Plg.).

Solan Plastic, Shed No. 2, Industrial Estate, Chamba-ghat, Solan is registered with the department of Industries on permanent basis vide No. 06/07/01500-PMT/SSI, dated 3-10-79 for the manufacture of PVC shoes in the permanent registration record.

And whereas this office vide No. 770 dated 29-5-97 has accorded permission to start new activity in the

name and style of M/s Bal Mukand Udyog in shed No. 2, Industrial Estate, Chambaghat, subject to renewal of rent agreement fulfilling all other terms and conditions.

And whereas the unit has closed down and have ceased functioning.

Now, therefore, the unit registered under the name and style of M/s Solan Plastic is hereby DE-REGISTERED WITH IMMEDIATE EFFECT and the unit shall not be entitled to any assistance to which tiny/small scale industrial units are eligible.

These orders are without any prejudice to any action which may follow subsequently against the unit for recall of finances/incentives from the promoter/proprietor/partner of the unit and also for utilisation or otherwise of any other facility by the unit.

Sd/-
General Manager,
District Industries Centre,
Solan.

भाग-3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाईनेंशियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा, अधिसूचित आदेश इत्यादि

कामिक (नि-4) विभाग

अधिसूचना

शिमला-171002, 8 मार्च, 2000

संख्या कामिक (नियुक्ति-4)-ए (3)-3/99.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, कामिक विभाग (सचिवालय प्रशासन) में संयुक्त सचिव, हिमाचल प्रदेश सचिवालय सेवाएं, वर्ग-1 (राजपत्रित) पद के लिए इस अधिसूचना से संलग्न उपाबंध "क" के अनुसार भर्ती एवं प्रोन्नति नियम बनाते हैं, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश सचिवालय सेवाएं (संयुक्त सचिव), वर्ग-1 (राजपत्रित) भर्ती एवं प्रोन्नति नियम, 2000 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. निरसन और व्यावृत्तियां.—(1) इस विभाग की अधिसूचना संख्या कामिक-(ए-1) ए (3)-1/92, तारीख 15 मई, 1993 द्वारा अधिसूचित, दो हिमाचल प्रदेश, एच0पी0 सैक्रेट्रिएट सविसेज ज्वाइंट सैक्रेटरी (क्लास-1, गेजिटिड) रिक्रूटमेंट एण्ड प्रमोशन रूलज एण्ड कन्डीशन्ज आफ सविसेज रूलज, 1993 का एतद्द्वारा निरसन किया जाता है।

(2) परन्तु ऐसे निरसन के होते हुए भी उपर्युक्त उप-नियम (1) के अधीन इस प्रकार निरमित नियमों के अधीन की गई कोई नियुक्ति, बात या कार्यवाई इन नियमों के अधीन विधिमाम्य रूप में की गई समझी जाएगी।

आदेश द्वारा,

ए0 के0 गोस्वामी,
मुख्य सचिव।

उपाबंध "क"

कामिक विभाग, हिमाचल प्रदेश सरकार में संयुक्त सचिव, हिमाचल प्रदेश सचिवालय सेवाएं (राजपत्रित), वर्ग-1 के पद के भर्ती और प्रोन्नति नियम

- | | |
|------------------------|--|
| 1. पद का नाम | संयुक्त सचिव |
| 2. पदों की संख्या | 1 (एक) |
| 3. वर्गीकरण | वर्ग-1 (राजपत्रित)
लिपिक वर्गीय सेवाएं। |
| 4. वेतनमान | रुपये 13500-400-15900-
450-16800. |
| 5. चयन पद अथवा अचयन पद | चयन |

6. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए आयु।

लागू नहीं

7. सीधी भर्ती किए जाने वाले व्यक्तियों के लिये अपेक्षित शैक्षणिक और अन्य अर्हताएँ।

लागू नहीं

8. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु और शैक्षणिक अर्हताएँ प्रोन्नति की दशा में लागू होंगी या नहीं?

लागू नहीं

9. परीक्षा की अवधि, यदि कोई हो।

दो वर्ष, जिसका एक वर्ष से अधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा जैसा कि संक्षेप प्राधिकारी विशेष परिस्थितियों में और लिखित कारणों से आदेश दें।

10. भर्ती की पद्धति—भर्ती सीधी होगी या प्रोन्नति या प्रतिनियुक्ति या स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरी जाने वाली रिक्तियों की प्रतिशतता।

शतप्रतिशत प्रोन्नति द्वारा

11. प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण की दशा में श्रेणियां जिनसे प्रोन्नति, प्रतिनियुक्तियां, स्थानान्तरण किया जायेगा।

उप-सचिवों में से, जिनका तीन वर्ष का नियमित सेवाकाल या ग्रेड में 31-3-98 तक लगातार की गई तदर्थ सेवा, यदि कोई हो, सहित संयुक्त नियमित सेवाकाल हो, प्रोन्नति द्वारा ऐसा न होने पर उप सचिवों में से प्रोन्नति द्वारा जिनका उप सचिव और अधिक सचिव की सेवा को शामिल करके चार वर्ष का संयुक्त नियमित सेवाकाल हो या 31-3-98 तक की गई लगातार तदर्थ सेवा सहित संयुक्त नियमित सेवाकाल हो, जिसके अन्तर्गत उप सचिव के रूप में 2 वर्ष का अनिवार्य सेवाकाल भी सम्मिलित होगा।

(1) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरण पद में 31-3-1998 तक की गई निरन्तर तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिये इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी,

कि सम्भरण प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी, परन्तु यह कि उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल (31-3-1998 तक तदर्थ आधार पर की गई तदर्थ सेवा सहित जो नियमित सेवा/नियुक्ति के अनुसरण में हो, को शामिल करके) के आधार पर उपर्युक्त निदिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाना है, वहां अपन-अपने प्रवर्ग/पद/क्रेडिट में उससे बरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जायेंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जायेंगे :

परन्तु उन सभी पदाधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है, को कम से कम तीन वर्ष की न्यूनतम ग्रहण सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा, जो भी कम हो, होगी :

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तु की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धित विचार के लिए अपात्र हो जाना है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा :

स्पष्टीकरण.—अन्तिम परन्तु के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा, यदि बरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोबिलाईज्ड आर्मेड फोर्स परसोनल (रिजर्वेशन आफ वेकेंसीज इन हिमाचल स्टेट नॉन-टेक्नीकल सर्विसेज) रूलज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो या जिसे एकत सर्विसमैन (रिजर्वेशन आफ वेकेंसीज इन दी हिमाचल प्रदेश टेक्नीकल सर्विसेज) रूलज, 1985 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो व इसके अन्तर्गत चयन लाभ दिए गए हों ।

(2) इसी प्रकार स्थायीकरण के सभी मामलों में ऐव पद पर नियुक्ति/प्रोन्नति से पूर्व 31-3-1998 तक की गई तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जायेगी, यदि तदर्थ नियुक्ति/प्रोन्नति, उचित चयन के पश्चात् और भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी :

परन्तु 31-3-1998 तक की गई उपर्युक्त निदिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थायीकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी ।

12. यदि विभागीय प्रोन्नति समिति विद्यमान हो तो उसकी संरचना । जैसा सरकार द्वारा समय-समय पर गठित की जाए ।
13. भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा । जैसा कि विधि द्वारा अपेक्षित हो ।
14. सीधे भर्ती किए जाने वाले व्यक्तियों के लिए अपेक्षा । लागू नहीं
15. सीधे भर्ती द्वारा पद पर नियुक्ति के लिए चयन । लागू नहीं

16. आरक्षण
उक्त सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुपूजित जानियों/प्रनपूजित जनजातियों/पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवा में आरक्षण की वात जागी किए गए अनुदेशों के अधीन होगी ।

17. विभागीय परीक्षा
सेवा में प्रत्येक सदस्य को विभागीय परीक्षा नियम, 1997 में यथाविहित और समय-समय पर संशोधित विभागीय परीक्षा पाम करनी होगी ।

18. शिथिल करने की शक्ति
जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां वह कारणों को अभिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों के वात शिथिल कर सकेगी ।

[Authoritative English text of this department Notification No. Per. (A-IV)-A(3)-3/99, dated 8th March, 2000 as required under clause (3) of Article 343 of the Constitution of India].

PERSONNEL (A-IV) DEPARTMENT

NOTIFICATION

Shimla-171 002, the 8th March, 2000

No. Per. (A-IV)-A (3)-3/99.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the Recruitment and Promotion Rules for the post of Joint Secretary, Himachal Pradesh Secretariat Services (Class-I) (Gazetted) in the Department of Personnel (Secretariat Administration) as per Annexure "A" appended to the notification, namely :—

1. **Short title and commencement.**—(1) These Rules shall be called the Himachal Pradesh Secretariat services (Joint Secretary), Class I (Gazetted), Recruitment and Promotion Rules, 2000.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. **Repeal and savings.**—(1) The Himachal Pradesh Secretariat Services, Joint Secretary, (Class-I Gazetted),

Recruitment, Promotion Rules and conditions of service Rules, 1993 notified *vide* this Department's Notification No. Per. (A-I)-A(3)-1/92, dated 15th May, 1993 are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or any action taken or anything done under the rules so repealed under sub-rule (1) *supra* shall be deemed to have been validly made or taken or done under these rules.

By order.

A. K. GOSWAMI,
Chief Secretary.

ANNEXURE "A"

RECRUITMENT AND PROMOTION RULES FOR
THE POST OF JOINT SECRETARY (HPSS)
CLASS-I (GAZETTED) IN THE DEPARTMENT
OF PERSONNEL, GOVERNMENT OF
HIMACHAL PRADESH

- | | |
|---|---|
| 1. Name of the post | Joint Secretary |
| 2. Number of posts | 1 (One) |
| 3. Classification | Class-I (Gazetted)
Ministerial Staff. |
| 4. Scale of pay | Rs. 13500-400-15900-450-16800. |
| 5. Whether selection post or non-selection post. | Selection |
| 6. Age for direct recruitment. | Not applicable |
| 7. Minimum educational and other qualifications required for direct recruits. | Not Applicable |
| 8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees. | Not applicable |
| 9. Period of probation, if any. | Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing. |
| 10. Method of recruitment—whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods. | 100% by promotion |
| 11. In case of recruitment by promotion, deputation, transfer, grade from which promotion/ deputation/transfer is to be made. | By promotion from amongst the Deputy Secretaries possessing 3 years regular service or regular combined with continuous <i>ad hoc</i> (rendered upto 31-3-98) service, if any, in the grade failing which by promotion from amongst the Deputy Secretaries possessing 4 years regular service or regular combined with continuous <i>ad hoc</i> (rendered upto 31-3-98) |

service combined as Deputy Secretary and Under Secretary combined which shall also include essential service of 2 years as Deputy Secretary.

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post upto 31-3-1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these Rules for promotion subject to the condition that *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R&P rules provided that :

(i) that in all cases where a junior persons becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-98 followed by regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal Pradesh State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation continuous *ad hoc* service rendered on the feeder post upto 31-3-98,

if any, prior to the regular appointment against such post shall be taken into account towards the length of service if the *ad hoc* appointment / promotion had been made after proper selection and in accordance with the provisions of the R&P Rules :

Provided that *inter-se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered upto 31-3-98 as referred to above shall remain unchanged.

If a Departmental Promotion Committee exists, what is its composition ?

As may be constituted by the Govt. from time to time.

13. Circumstances under which the H.P.S.C. is to be consulted in making recruitment.

As required under the law

14. Essential requirement for a direct recruitment.

Not applicable

15. Selection for appointment to the post by direct recruitment.

Not applicable

16. Reservation

The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Backward Classes/Other Categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental Examination.

Every member of the service shall pass the departmental examination as prescribed in Himachal Pradesh Departmental Examination Rules, 1997 as amended from time to time.

18. Powers to relax

Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the H. P. S. C., relax with respect to any class or category of persons or posts.

प्रदेश विधान सभा सेक्रेटेरिएट (रेक्यूटमेंट एण्ड कन्डीसन्स ऑफ सर्विस) संगोपन नियम, 1999 को जारी किया गया है, में—

(क) हिमाचल प्रदेश विधान सभा सेक्रेटेरिएट (रेक्यूटमेंट एण्ड कन्डीसन्स ऑफ सर्विस) संगोपन नियम, 1999 (जिन्हें इसके पश्चात उक्त नियम कहा गया है) के नियम 3 के खण्ड (a) के अर्धान प्रथम परन्तुक में शब्द "1992" के स्थान पर शब्द "1999" पढ़ा जाये और उक्त नियम के दूसरे परन्तुक में शब्द "further" और "the" के बीच शब्द "that" पढ़ा जाए।

(ख) उक्त नियम के नियम 4 में "Fourth Schedule" शब्दों के स्थान पर "Fourth Schedule" शब्द पढ़े जाएं।

(ग) उक्त नियम के नियम 5 में "Departmental Promotion Committees" शब्दों के स्थान पर "Departmental Promotion Committee" शब्द पढ़े जाएं।

(घ) उक्त नियम के नियम 6 के खण्ड (I) तथा (II) में, (A) तथा (B) शब्दों के स्थान पर (a) और (b) शब्द पढ़े जाएं।

(ङ) उक्त नियम के नियम 9 (1) के अर्धान तीसरे परन्तुक को प्रथम लाइन में शब्द "Corporation" के स्थान पर शब्द "corporations" पढ़ा जाए तथा नियम 9(1) के नोन्वे टिप्पणी (2) के पश्चात् उप-नियम (2) निम्न प्रकार में पढ़ा जाए :—

(2) A candidate for appointment to any post must be:—

- a citizen of India, or
- a subject of Nepal, or
- a subject of Bhutan, or
- a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India.
- a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India. A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Secretary, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India."

(च) उक्त नियम के नियम 11 में—

(i) उक्त नियम की प्रथम अनुसूची के क्रमांक 12 की स्तंभ संख्या 3 में शब्द "7220-220-8100-275-10300" के स्थान पर "7220-220-8100-275-10300-340-11660" शब्द पढ़े जाएं।

(ii) उक्त नियम की प्रथम अनुसूची के क्रमांक 15 की स्तंभ संख्या 3 में शब्द "Sr. Asstt." के स्थान पर "Sr. Assistants" शब्द पढ़ा जाए।

(iii) उक्त नियम की प्रथम अनुसूची के क्रमांक 21 की स्तंभ संख्या 3 में शब्द "700" के स्थान पर "7000" शब्द पढ़ा जाए।

(iv) उक्त नियम की प्रथम अनुसूची के क्रमांक 23 की स्तंभ संख्या 3 में शब्द "700" के स्थान पर "7000" शब्द पढ़ा जाए।

(v) उक्त नियम की प्रथम अनुसूची के क्रमांक 34 की स्तंभ संख्या 3 में शब्द "125" के स्थान पर "120" शब्द पढ़ा जाए।

सामान्य प्रशासन विभाग
(संसदीय कार्य विभाग)

शुद्धि-पत्र

शिमला-2, 16 मार्च, 2000

संख्या जी 0 ए 0 डी 0 सी 0 (जी 0 आई 0) 2-10/96-II—इस विभाग की अधिसूचना संख्या: जी 0 ए 0 डी 0 सी 0 (जी 0 आई 0) 2-10/96 दिनांक 1-12-1999 जो कि हिमाचल प्रदेश राजपत्र (प्रसाधारण) दिनांक 16-12-1999 जिसके अन्तर्गत हिम चल

(छ) उक्त नियम के नियम 12 में—

(i) उक्त नियम की दूसरी अनुसूची के शीर्षक अन्तर्गत स्तंभ 6 में शब्द "promotion" और "to be made" के बीच "is" शब्द पढ़ा जाए।

(ii) उक्त नियम की दूसरी अनुसूची के क्रमांक 3 की स्तंभ संख्या 6 में "For the purpose of promotion a combined seniority list of Section Officers, Research Officer and Private Secretaries based on the length of service without disturbing their cadreswise seniority shall be prepared" शब्दों के स्थान पर "For the purpose of promotion a combined seniority of Section Officeres, and Private Secretaries based on the length of service without disturbing their cadrewise seniority shall be prepared." शब्द पढ़े जाएं।

(iii) उक्त नियम की दूसरी अनुसूची के क्रमांक 8 की स्तंभ संख्या 5 में "Bachelor" और "Deptt." शब्दों के स्थान पर "Bachelor's" और "Public" शब्द पढ़े जाएं।

(iv) उक्त नियम की दूसरी अनुसूची के क्रमांक 10 की स्तंभ संख्या 6 में "Assistance" शब्द के स्थान पर "Assistants" शब्द पढ़ा जाए।

(v) उक्त नियम की दूसरी अनुसूची में क्रमांक 11 को स्तंभ संख्या 6 में विद्यमान प्रावधान को निम्न प्रकार से पढ़ा जाए।

"By promotion amongst the grade of Supdt. Grade-II with atleast 3 years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-98) service, failing which from amongst Supdt. Grade-II with nine years combined regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-98) service as Supdt. Grade-II and Senior Assistant/Sr. Translator Grade-I and failing both from amongst Sr. Assistants and Sr. Translators Grade-I having total 11 years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-98) service in the grade".

(vi) उक्त नियम की दूसरी अनुसूची के क्रमांक 13 की स्तंभ संख्या 6 के प्रथम पैरा में "prootion" शब्द के स्थान पर "promotion" शब्द पढ़ा जाए तथा दूसरे पैरा में "Sr. Translator" तथा "prescribed" शब्दों के स्थान पर "Sr. Translators" और "prepared" शब्द पढ़े जाएं।

(vii) उक्त नियम की दूसरी अनुसूची के क्रमांक 14 की स्तंभ संख्या 6 में विद्यमान प्रावधान को निम्न प्रकार से पढ़ा जाए—

"By promotion from amongst the clerical cadre of Clerks/Sr. Clerks/Junior Assistants with 10 years regular service or regular combined with continuous *ad hoc* rendered upto 31-3-98 service and Proof Reader with five years regular service or regular combined with continuous *ad hoc* rendered upto 31-3-98 service in the grade. For the purpose of combined seniority the Proof Reader will be equated with Junior Assistants.

(viii) उक्त नियम की दूसरी अनुसूची के क्रमांक 15 की स्तंभ संख्या 6 में शब्द "-do-" के स्थान पर "N. A." शब्द पढ़ा जाए।

(ix) उक्त नियम की दूसरी अनुसूची के क्रमांक 17 की स्तंभ संख्या 5 में "Speed in Shorthand: English Hindi 80 W. P. M. 70 W. P. M. Speed in Type-writing English Hindi 40 W. P. M. 30 W. P. M." शब्दों के स्थान पर "Speed in Shorthand: English Hindi 80 W. P. M. 70 W. P. M. Speed in Type-writing: English/Hindi 40 W. P. M. 30 W. P. M." शब्द पढ़े जाएं।

(x) उक्त नियम की दूसरी अनुसूची के क्रमांक 20 की स्तंभ संख्या 5 में "Proof readings" शब्दों के स्थान पर "Proof reading" शब्द पढ़े जाएं।

(xi) उक्त नियम की दूसरी अनुसूची के क्रमांक 23 की स्तंभ संख्या 5 में "In Library Science from a recognised University/Institute. शब्दों के स्थान पर "Matriculation or equivalent examination pass with a Diploma in Library Science from a recognised University/Institute" शब्दों को पढ़ा जाए।

(xii) उक्त नियम की दूसरी अनुसूची के क्रमांक 24 की स्तंभ संख्या 6 में विद्यमान प्रावधान को निम्न प्रकार से पढ़ा जाए :—

"By promotion from amongst the Gestetner Operators, Daftis, Jamadars and Library Attendants who have passed Middle or its equivalent with five years regular service or regular combined with continuous *ad hoc* (rendered up o 31-1-98) service failing which by promotion from amongst the Peons with ten years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-98) service.

For the purpose of promotion a combined seniority of eligible officials on the basis of length of service without disturbing their cadre-wise seniority shall be prepared."

(xiii) उक्त नियम की दूसरी अनुसूची के क्रमांक 25 की स्तंभ संख्या 2 में शब्द "Watch & Ward" के स्थान पर "Watch & Ward Assistant" शब्दों को पढ़ा जाए तथा इसी क्रमांक की स्तंभ संख्या 6 में शब्द "Library" और "Attendants" के बीच चिह्न (,) को समाप्त समझा जाए।

(xiv) उक्त नियम की दूसरी अनुसूची के क्रमांक 26 की स्तंभ संख्या 5 के (ii) में शब्द "from" के स्थान पर "for" शब्द पढ़ा जाए।

(xv) उक्त नियम की दूसरी अनुसूची के क्रमांक 29 की स्तंभ संख्या 6 में शब्द "trade" के स्थान पर "grade" शब्द पढ़ा जाए।

(xvi) उक्त नियम की दूसरी अनुसूची के क्रमांक 30, 31 और 32 के स्तंभ संख्या 6 में दर्शाए गए प्रावधान को स्तंभ संख्या 5 में समझा जाए।

(xvii) उक्त नियम की दूसरी अनुसूची के क्रमांक 33 की स्तंभ संख्या 5 के खण्ड 2 में शब्द "Gardner" के स्थान पर "Gardener" शब्द पढ़ा जाए।

आदेश द्वारा,
हस्ताक्षरित/-
मुख्य सचिव।

सूचना एवं जनसम्पर्क विभाग

अधिसूचना

निम्ना-171 002, 20 जनवरी, 2000

संख्या एव ए (3) 10/99.—हिमाचल प्रदेश के राजपत्र, भारत के संविधान के अनुच्छेद 309 के संस्तुति द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, सूचना एवं जन सम्पर्क विभाग में इस विभाग की अधिसूचना संख्या एव-ए-(3) 12/87 तारीख 18-1-1989 द्वारा अधिसूचित कला एकजक्यूटिव वर्ग-III (अराजपत्रित) के पद के भर्ती एवं प्रोन्नति नियम, 1989 में संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1 संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग, कला एक्जिक्यूटिव वर्ग-III (अराजपत्रित) भर्ती एवं प्रोन्नति (प्रथम संशोधन) नियम, 2000 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किये जाने की तारीख से प्रवृत्त होंगे।

2. उपाबन्ध "अ" का संशोधन.—हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग, कला एक्जिक्यूटिव वर्ग-III (अराजपत्रित) भर्ती एवं प्रोन्नति नियम, 1989 के उपाबन्ध "अ" में:—

(क) स्तम्भ संख्या 4 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

"5800-200-7000-220-8100-275-9200 रुपये।"

(ख) स्तम्भ संख्या 6 के सामने विद्यमान उपबन्धों में शब्दों और अंकों 18 से 32 वर्ष के स्थान पर "18 से 38 वर्ष" शब्द और अंक प्रतिस्थापित किए जायेंगे।

(ग) स्तम्भ संख्या 11 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

"कला सहायकों में से जिनका 5 वर्ष का नियमित सेवाकाल या ग्रेड में 31-3-98 तक की गई लगातार तदर्थ सेवा की मिलाकर, उक्त संयुक्त नियमित सेवाकाल हो, ऐसा न होने पर सीधी भर्ती द्वारा, दोनों के न होने पर राज्य/केन्द्रीय सरकार के अन्य विभागों से ग्रेड में समतुल्य पदधारकों में से स्थानान्तरण/प्रतिनियुक्ति द्वारा।"

(1) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरण पद में 31-3-98 तक की गई निरन्तर तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथाविहित सेवाकाल के लिए इस शर्त के अधीन रहते हुए, गणना में ली जाएगी, कि सम्भरण प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी:

परन्तु यह कि उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल (31-3-1998 तक तदर्थ आधार पर की गई तदर्थ सेवा सहित जो नियमित सेवा/नियुक्ति के अनुसरण में हो, को शामिल करके) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है वहां अपने-अपने प्रवर्ग/पद/कांडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे:

परन्तु उन सभी पदधारियों की, जिन पर प्रोन्नति के लिये विचार किया जाना है, की कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा जो भी कम हो, होगी:

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तु की अपेक्षाओं के कारण प्रोन्नति किए जाने का विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिये अपात्र समझा जायेगा।

स्पष्टीकरण.—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा, यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोबिलाइज्ड आर्म्ड फोर्सिज परसोनल (रिजर्वेशन आफ वेकेंसीज इन हिमाचल स्टेट नान-टेक्नीकल सर्विसिज) रूलज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो या जिसे ऐक्स सर्विसमें (रिजर्वेशन आफ वेकेंसीज इन दी हिमाचल प्रदेश टेक्नीकल सर्विसिज) रूलज, 1985 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो व इसके अन्तर्गत वरीयता लाभ दिए गए हो।

(2) इसी प्रकार स्थाईकरण के सभी मामलों में ऐसे पद पर नियुक्त/प्रोन्नति प पूर्व 31-3-1998 तक की गई तदर्थ सेवा यदि

कोई हो, सेवाकाल के लिए गणना में ली जाएगी, यदि तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात् और भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी:

परन्तु 31-3-1998 तक की गई उपर्युक्त निर्दिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थाईकरण होगा उसके फल-स्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

आदेश द्वारा,

हस्ताक्षरित/-
आयुक्त एवं सचिव।

[Authoritative English text of this Department Notification No. Pub.A (3) 10/99, dated 20-1-2000 as required under clause (3) of Article 309 of the Constitution of India].

INFORMATION AND PUBLIC RELATIONS DEPARTMENT

NOTIFICATION

Shimla-171 002, the 20th January, 2000

No. Pub-A (3) 10/99.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following rules to amend the Himachal Pradesh Information & Public Relations Department, Art Executive (Class-III, Non-Gazetted) Recruitment and Promotion Rules, 1989, notified vide this Department notification of even No. Pub-A (3) 12/87 dated 18-1-1989, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Information and Public Relations Department, Art Executive Class-III (Non-Gazetted) Recruitment and Promotion (First Amendment) Rules, 1999.

(2) These rules shall come into force with immediate effect from the date of publication in the Rajptra, Himachal Pradesh,

2. *Amendment in Annexure-'A'.*—In Annexure 'A' to the Himachal Pradesh Information and Public Relations Department, Art Executive, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 1989:—

(a) For the existing provisions against Col. No. 4, the following shall be substituted, namely:—

"Rs. 5800-200-7000-220-8100-275-9200".

(b) In the existing provisions against Col. No. 6, for the words "Between 18 to 32 years" the words and figures "between 18 to 38 years" shall be substituted.

(c) For the existing provisions against Col. No. 11 the following shall be substituted, namely:—

"By promotion from amongst the Art Assistant with at least 5 years regular service combined with continuous *ad hoc* (rendered upto 31-3-1998) in the grade, failing which by direct recruitment, failing both by transfer/deputation from other departments of the State/Central Government holding equivalent posts in the grade.

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post upto 31-3-1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules, provided that:

(i) In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1998, followed by regular service/appointment) in the feeder post in view of the provision referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration :

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, continuous *ad hoc* service rendered on the feeder post upto 31-3-1998, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provisions of the R & P Rules :

Provided that *inter-se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered upto 31-3-1998 as referred to above shall remain unchanged.

By order,

Sd/-

Commissioner-cum-Secretary.

सूचना एवं जन सम्पर्क विभाग

अधिसूचना

शिमला-2, 27 जनवरी, 2000

संख्या पत्र-ए (3) 42/99.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से इस विभाग की अधिसूचना संख्या पत्र-ए (3) 5/94, दिनांक 26-6-97 द्वारा अधिसूचित सूचना एवं जन सम्पर्क विभाग के निजी सहायक वर्ग-III (अराजपत्रित) के पद के भर्ती एवं प्रोन्नति नियम, 1997 में संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग के निजी सहायक, वर्ग-III, (अराजपत्रित) भर्ती एवं प्रोन्नति (प्रथम संशोधन) नियम, 2000 है ।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे ।

2. उपावन्ध “अ” का संशोधन.—हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग, निजी सहायक, वर्ग-III (अराजपत्रित) भर्ती एवं प्रोन्नति नियम, 1997 में :—

(क) स्तम्भ संख्या 4 के सामने विद्यमान प्रविष्टियों के स्थान पर निम्न लिखित प्रतिस्थापित की जाएगी, अर्थात् :—

“पत्र 64 00-200-7000-220-8100-275-10300-340-10640.”

(ख) स्तम्भ संख्या 11 के सामने विद्यमान उपावन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :—

“वरिष्ठ वेतनमान आगुलपिकों में से प्रोन्नति द्वारा जिनका ग्रेड में 6 वर्ष का नियमित सेवाकाल या (31-3-98) तक की गई तदर्थ सेवा सहित 6 वर्ष का संयुक्त नियमित सेवाकाल हो, ऐसा न होने पर हिमाचल प्रदेश सरकार के अन्य विभागों में इस पद के पदधारियों में से प्रतिनियुक्ति/स्थानान्तरण द्वारा ।

(1) प्रोन्नति के सभी मामलों के पद पर नियमित नियुक्ति पूर्व सम्भरण पद में 31-3-1998 तक की गई निरन्तर तदर्थ से यदि कोई हो, प्रोन्नति के लिये इन नियमों में यथाविहित सेवाकाल लिये, इस शर्त के अधीन रहते हुये गणना में ली जाएगी, कि सम्भरण प्र में तदर्थ नियुक्ति/प्रोन्नति, भर्ती और प्रोन्नति नियमों के उपबन्धों अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् गई थी । परन्तु यह कि उन सभी मामलों में जिनमें कोई कनिष्ठ व्य सम्भरण पद में अपने कुल सेवाकाल (31-3-1998 तक तदर्थ आ पर की गई तदर्थ सेवा सहित जो नियमित सेवा/नियुक्ति के अनुसरण में की शामिल करके) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों कारण विचार किए जाने का पाव हो जाता है, वहाँ अपने-अ प्रवर्ग/पद/काडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के समक्ष जायेंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर जायेंगे :

परन्तु उन सभी पदधारियों की, जिन पर प्रोन्नति के विचार किया जाना है, की कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा जो भी कम हो, होगी

परन्तु यह और भी कि, जहाँ कोई व्यक्ति पूर्वगामी परन्तु की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धित विचार लिए अपात्र हो जाता है, वहाँ उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्न के विचार के लिए अग्रग्न समझा जाएगा ।

स्वच्छीकरण.—अन्तिम परन्तु के अन्तर्गत कनिष्ठ पदवा प्रोन्नति के लिए अपात्र नहीं समझा जाएगा । यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोबिलाइज्ड आर्मेड फोर्सिज परगोन (रिजर्वेशन आफ वरैन्सीज इन हिमाचल स्टेट नान-टेक्नीकल सर्विसिज रूलज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती कि गया हो या जिसे ऐक्स सर्विसमैन (रिजर्वेशन आफ वरैन्सीज इन हिमाचल प्रदेश टेक्नीकल सर्विसिज) रूलज, 1985 के नियम 3 प्रावधानों के अन्तर्गत भर्ती किया गया हो व इसके अन्तर्गत वरीयता लाभ दिए गए हों ।

(2) इसी प्रकार स्थाईकरण के सभी मामलों में ऐसे पद नियुक्ति/प्रोन्नति से पूर्व 31-3-1998 तक की गई तद सेवा यदि कोई हो, सेवाकाल के लिए गणना में ली जायेंगी, या तदर्थ नियुक्ति/प्रोन्नति, भर्ती एवं प्रोन्नति नियमों के उपबन्धों अनुसार उचित चयन के पश्चात् और की गई थी :

परन्तु 31-3-98 तक की गई उपर्युक्त निर्दिष्ट तदर्थ सेवा गणना में लेने के पश्चात् जो स्थायीकरण होगा, उसके फलस्वरु पारस्परिक वरीयता अपरिवर्तित रहेगी ।

आदेश द्वारा,

हस्ताक्षरित/-

आयुक्त एवं सचिव

[Authoritative English text of this department notification No. Pub.-A (3) 42/99, dated 27-1-2000 as required under clause (3) of Article 348 of the Constitution of India].

INFORMATION AND PUBLIC RELATIONS DEPARTMENT

NOTIFICATION

Shimla-171 002, the 27th January, 2000]

No. Pub.-A (3) 42/99.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following Rules to

amend the Department of Information and Public Relations, Personal Assistant (Class-III, Non-Gazetted) Recruitment and Promotion Rules, 1997 notified vide this Department Notification No. Pub. A (3) 5/94, dated 26-6-97, namely :—

1. *Short title and commencement.*—(i) These rules shall be called the Himachal Pradesh Information & Public Relations, Personal Assistant, Class-III (Non-Gazetted) Recruitment and Promotion (First Amendment) Rules, 2000.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. *Amendment of Annexure 'A'.*—In Annexure 'A' to the Himachal Pradesh Information and Public Relations Personal Assistant (Class-III, Non-Gazetted) Recruitment and Promotion Rules, 1997,—

(a) For existing entries against Column No. 4, the following shall be substituted namely :—

“Rs. 6400-200-7000-220-8100-275-10300-340-10640.”

(b) For the existing provisions against Col. No. 11, the following shall be substituted, namely :—

“By promotion from amongst the Senior Scale Stenographers with 6 years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-98) service in the grade failing which by deputation/transfer from amongst the incumbents of this post working in the identical pay scales from other H. P. Govt. Departments.”

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post upto 31-3-1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules, provided that :

(i) in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1998 followed by regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration :

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be *Ex-servicemen* recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Financial Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of *Ex-Servicemen* (Reservation of vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation continuous *ad hoc* service rendered on the feeder post upto 31-3-1998, if any, prior to the regular appointment

against such post shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provisions of the R & P Rules:

Provided that *inter se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered upto 31-3-1998 as referred to above shall remain unchanged.

By order,

Sd/-
Commissioner-cum-Secretary.

सूचना एवं जन सम्पर्क विभाग

अधिसूचना

शिमला-171 002, 10 फरवरी, 2000

संख्या पब 0-ए0 (3)-27/99.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श मेडस विभाग की अधिसूचना संख्या पब-ए0 (3) 5/94, तारीख 29-1-1997 द्वारा अधिसूचित हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग में अधीक्षक ग्रेड-1 (वर्ग-2 राजपत्रित) भर्ती एवं प्रोन्नति नियम, 1997 में संशोधन करने के लिए निम्नलिखित नियम बनाते हैं अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग, अधीक्षक, ग्रेड-1 (वर्ग-2 राजपत्रित) भर्ती एवं प्रोन्नति (प्रथम संशोधन) नियम, 2000 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. उपाखण्ड “अ” का संशोधन.—हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग, अधीक्षक, ग्रेड-1 (वर्ग-2, राजपत्रित) भर्ती एवं प्रोन्नति नियम, 1997 के उपाखण्ड “अ” में—

(क) स्तम्भ संख्या 4 के सामने विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित की जाएगी, अर्थात् :
रूपे 7220-220-8100-275-10300-340-11660.

(ख) स्तम्भ संख्या 11 के सामने विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित की जाएगी अर्थात् :

अधीक्षक ग्रेड-II/निजी सहायकों में से जिनका ग्रेड में तीन वर्षों का सेवाकाल या (31-3-91) तक की गई लगातार तदर्थ सेवा को सम्मिलित करके 3 वर्ष का संयुक्त नियमित सेवाकाल हो, प्रोन्नति द्वारा ऐसा न होने पर अधीक्षक ग्रेड-II/निजी सहायकों में से जिनका अधीक्षक ग्रेड-II/निजी सहायकों और वरिष्ठ सहायक, वरिष्ठ वेतनमान आशुलिपिक के रूप में 9 वर्ष का नियमित सेवाकाल या 31-3-98 तक की गई लगातार तदर्थ सेवा को सम्मिलित करके 9 वर्ष संयुक्त नियमित सेवा काल हो, दोनों के न होने पर वरिष्ठ सहायक/वरिष्ठ वेतनमान आशुलिपिकों में से, जिनका अपने-अपने ग्रेड में 11 वर्ष का नियमित सेवाकाल या (31-3-98) तक की गई लगातार तदर्थ सेवा को सम्मिलित कर 11 वर्ष का संयुक्त नियमित सेवाकाल हो, प्रोन्नति द्वारा परन्तु प्रोन्नति के प्रयोजन के लिए पात्र अभ्यर्थियों की उनके अपने-अपने कैडर में, हुए सेवाकाल के आधार पर उनकी पारस्परिक वरिष्ठता को परिर्वर्ति किए बिना एक संयुक्त वरिष्ठता सूची तैयार की जाएगी।

(1) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरण पद में 31-3-1998 तक की गई निरन्तर तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिये इन नियमों में यथाविहित सेवाकाल के लिये, इन शर्त के अधीन रहते हुए गणना में ली जाएगी, कि सम्भरण प्रवर्त में तदर्थ नियुक्ति/प्रोन्नति भर्ती एवं प्रोन्नति नियमों के उपबन्धों

के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात की गई थी।

परन्तु यह कि उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल (31-3-1998 तक तदर्थ आधार पर की गई तदर्थ सेवा, सहित जो नियमित सेवा/नियुक्ति के अनुसरण में हो, को शामिल करके) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहाँ अपने-अपने प्रवर्ग/पद/कांडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जायेंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जायेंगे।

परन्तु उन सभी पदधारियों की जिन पर प्रोन्नति के लिये विचार किया जाना है, कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा जो भी कम हो, होगी।

परन्तु यह और भी कि, जहाँ कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिये अपात्र हो जाता है, वहाँ उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जायेगा।

स्पष्टीकरण—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिये अपात्र नहीं समझा जायेगा, यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है, जिसे डिमोबिलाइज्ड आर्मड फोर्सि परसोनल (रिजर्वेशन आफ वेकेंसीज इन हिमाचल स्टेट नॉन-टेक्नीकल सर्विसिज) क्लज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो तथा इसके अन्तर्गत वरीयता लाभ दिये गये हों या जिसे एक्स-सर्विसमैन (रिजर्वेशन आफ वेकेंसीज इन दो हिमाचल प्रदेश टेक्नीकल सर्विसिज) क्लज, 1985 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो व इसके अन्तर्गत वरीयता लाभ दिए गए हों।

(ख) इसी प्रकार स्पष्टीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व 31-3-1998 तक की गई तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिये गणना में ली जायेगी यदि तदर्थ नियुक्ति/प्रोन्नति, भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात की गई थी।

परन्तु 31-3-98 तक की गई उपर्युक्त निर्दिष्ट तदर्थ सेवा को गणना में लेने के पश्चात जो स्पष्टीकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

आदेश द्वारा,

हस्ताक्षरित/-
आशुभत एवं सचिव।

[Authoritative English text of this Department Notification No. Pub A(3)-27/99, dated 10-2-2000 as required under clause (3) of Article 348 of the Constitution of India].

INFORMATION AND PUBLIC RELATIONS DEPARTMENT

NOTIFICATION

Shimla-2, the 10th February, 2000

No Pub-A (3)-27/99.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following rules to amend the H. P. Department of Information and Public Relation, Superintendent, Grade-I Class-II. (Gazetted) Recruitment and Promotion Rules, 1997 notified vide this Department Notification No. Pub-A(3)5/94, dated 29-1-1997 namely:—

1. **Short title and commencement.**—(1) These rules may be called the H. P. Department of Information and Public Relations Superintendent, grade-I Class-II,

(Gazetted), Recruitment and Promotion (First Amendment) Rules, 2000.

(2) These rules shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. **Amendment in Annexure 'A'.**—In Annexure 'A' to the Himachal Pradesh Department of Information and Public Relations, Superintendent, Grade-I, Class-II (Gazetted) Recruitment and Promotion Rules, 1997.

(a) For the entries against Col. No. 4, the following shall be substituted, namely:—
"Rs. 7220-220-8100-275-10300-340-11660".

(b) For the entries against Col. No. 11, the following shall be substituted, namely,—

By Promotion from amongst the Superintendent grade-II/P-A. who possess 3 years regular or regular combined with continuous *ad hoc* (rendered upto 31-3-98) service, in the grade failing which by promotion from amongst the Superintendent Grade-II/Personal Assistant who possess 9 years regular or regular combined with continuous *ad hoc* (rendered upto 31-3-1998) service as Superintendent Grade-II/Personal Assistant and Senior Assistant/Senior scale stenographer combined alongwith by promotion from amongst the Sr. Asstt./Senior Scale Stenographer who possess 11 years regular or regular combined with continuous *ad hoc* (rendered upto 31-3-1998) service in their respective grade:

Provided that for the purpose of promotion a joint seniority list of eligible officials on the basis of their length of service in respective cadre shall be prepared without disturbing their *inter se* seniority.

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post upto 31-3-1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules, provided that:—

(i) In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1998), followed by regular service/appointment in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal Pradesh Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly in all cases of confirmation, continuous *ad hoc* service rendered on the feeder post upto 31-3-98, if any, prior to the regular appointment/promotion had shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provision of the R & P Rules:

Provided that *inter se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered upto 31-3-98 as referred to above shall remain unchanged.

By order,

(d/-)
Commissioner-cum-Secretary.

उद्योग विभाग

अधिसूचना

शिमला-171 002, 10 फरवरी, 2000

संख्या उद्योग-II(ख) 2-36/95.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस विभाग की अधिसूचना संख्या उद्योग II-(ख) 2-36/95, तारीख 13-8-1997 अधिसूचित द्वारा उद्योग विभाग, हिमाचल प्रदेश में बीज परीक्षक/मल्वरी उप-परीक्षक/फिल्डमैन/बडर, वर्ग-4 (अराजपत्रित) भर्ती एवं प्रोन्नति नियम, 1997 में संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश, उद्योग विभाग, बीज परीक्षक/मल्वरी उप-परीक्षक/फिल्डमैन/बडर, वर्ग-4 (अराजपत्रित) पद के भर्ती एवं प्रोन्नति (प्रथम संशोधन) नियम, 2000 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. उपावय "अ" का संशोधन.—हिमाचल प्रदेश उद्योग विभाग, बीज परीक्षक/मल्वरी उप-परीक्षक/फिल्डमैन/बडर वर्ग-4 (अराजपत्रित) भर्ती एवं प्रोन्नति नियम, 1997 के उपावय "अ" में :—

(क) स्तम्भ संख्या-4 के सामने विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित की जाएगी, अर्थात् :—

"रूये 2720-100-3220-110-3660-120-4260"

(ख) स्तम्भ संख्या-6 के सामने विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित की जाएगी, अर्थात् :—

"18 वर्ष से 38 वर्ष"

(ग) स्तम्भ संख्या 11 के सामने विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित की जाएगी अर्थात् :—

"फरलिंग सहायक (टटर) बेलदार में से जिनका रेशन उत्पादन के क्षेत्र में अनुभव हो और जिनका 5 वर्ष का नियमित सेवाकाल या (31-3-1998) तक की गई लगातार तदर्थ सेवा सहित उक्त संयुक्त नियमित सेवाकाल हो, प्रोन्नति द्वारा"।

(1) प्रोन्नतिके सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरण पद में 31-3-1998 तक की गई निरन्तर तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी कि सम्भरण प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वोकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी :

परन्तु यह कि उन सभी मामलों में जिन में कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल (31-3-98) तक तदर्थ आधार पर

की गई तदर्थ सेवा सहित जो नियमित सेवा/नियुक्ति के अनुसरण में हो, को शामिल करके) के आधार पर उपर्युक्त निदिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहां अपने-अपने प्रवर्ग/पद/कांडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रहे जाएंगे :

परन्तु उन सभी पदधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है, को कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा जो भी कम हो, होगी :

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने के विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा।

स्पष्टीकरण.—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जायेगा यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोबिलाईज्ड आर्मेड फोर्सम परसोनल (रिजर्वेशन आफ वेकेंसीज इन हिमाचल स्टेट टैक्नीकल सर्विसेज) रुल्ज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो या जिसे ऐक्स सर्विसमैन (रिजर्वेशन आफ वेकेंसीज इन दी हिमाचल प्रदेश टैक्नीकल सर्विसेज) रुल्ज, 1985 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो व इसके अन्तर्गत वरीयता लाभ दिए गए हों।

(2) इसी प्रकार स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति/प्रोन्नति से पूर्व 31-3-1998 तक की गई तदर्थ सेवा यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी, यदि तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात् और भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी :

परन्तु 31-3-1998 तक की गई उपर्युक्त निदिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थायीकरण होगा उसका फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

आदेश द्वारा,

हर्ष गुप्ता,
अतिरिक्त मुख्य सचिव एवं सचिव।

[Authoritative English of this department Notification No. Udyog-II(Kha)2-36/95, dated 10-2-2000 as required under clause (3) of Article 348 of the Constitution of India].

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-171 002, the 10th February, 2000

No. Udyog-II(Kha) 2-36/95.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh is pleased to make the following rules to amend the Himachal Pradesh Industries Department Seed Examiner/Mulberry Sub Inspector/Fieldman Budder, Class-IV (Non-Gazetted) Recruitment and Promotion Rules, 1997, notified vide notification No. Udyog-II(Kha)-2-36/95 dated 13-8-1997, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Industries Department Seed Examiner/Mulberry Sub-Inspector/Fieldman/Budder, Class-IV (Non-Gazetted) Recruitment and Promotion (First amendment) Rules, 2000.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. *Amendment of Annexure 'A'.*—In Annexure "A" of the Himachal Pradesh Industries Department, Seed Examiner / Mulberry-Sub Inspector / Fieldman / Budder,

Class-IV (Non-Gazetted) Recruitment and Promotion Rules, 1997 :—

अम विमल

आवसूचनाएं

शिमला-171 001, 14 मार्च, 2000

(a) For entries against Column No. 4, the following shall be substituted, namely :—

“Rs. 2720-100-3220-110-3660-120-4260”.

(b) For entries against Column No. 6, the following shall be substituted, namely :—

“Between 18 years to 38 years.”

(c) For entries against Column No. 11, the following shall be substituted, namely :—

“By promotion from amongst the Reading Assistant (Tasser)/Beldar having experience in the field of Sericulture and possess five years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-1998) service.”

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post upto 31-3-98, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules, provided that :

(1) In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1998, followed by regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cad's shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration :

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, continuous *ad hoc* service rendered on the feeder post upto 31-3-98, if any, prior to the regular appointment/promotion had shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provision of the Recruitment and Promotion Rules:

Provided that *inter-se* seniority as a result of confirmation after taking into account *ad hoc* service rendered upto 31-3-98 as referred to above shall remain unchanged.

By order.

HARSH GUPTA,
A.C.S.-cum-Secretary.

संख्या 11-2/93 (नै) आई० डी०-नाग-Solan.—अग्रोहस्ताक्षरी को यह प्रतीत होता है कि Ram Dev Ex-daily Wages Salesman and (1) Chairman, Managing Committee, Golden Lion PH and HP (1) Sub Area, H. Q. PH and HP (1) Sub Area Ambala Cantt-133001; (2) The Chairman, Managing Committee “Cell” Canteen 47, Vayu Rakshan Regiment 47, A. D. Regiment C/O 56 A. P. O.; (3) Chairman, Managing Committee Canteen, 715 (1) Brigade C/O 56 APO and (4) The Manager, Vajra Canteen, UNA, (H. P.) के मध्य नीचे दिये गये विषय पर औद्योगिक विवाद है ;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12 (4) के अधीन समझौता अधिकारी द्वारा प्रस्तुत की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने के पश्चात्, अग्रोहस्ताक्षरी ने निर्णय लिया है कि मामला अम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिये भेजने योग्य है।

अतः हिमाचल प्रदेश सरकार द्वारा जारी आवसूचना संख्या 19-8/89-अम(नू) दिनांक 7 सितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अग्रोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित अम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिये भेजा जाता है :—

“1. Whether the termination of services of Shri Ram Dev, Ex-daily wages salesman by (1) The Chairman, Managing Committee, Golden Lion PH and HP (1) Sub Area, H. Q. PH and HP (1) Sub-Area, Ambala Cantt-133001; (2) The Chairman, Managing Committee “Cell” Canteen 47, Vayu Rakshan Regiment 47, AD Regiment C/O 56 APO, (3) The Chairman, Managing Committee Canteen, 715 (1) Brigade C/O 56 APO and (4) The Manager, Vajra Canteen, Una (H. P.) w.e.f. 15-3-99 without any notice charge-sheet, enquiry and without compliance of section 25 (F) of the Industrial Disputes Act, 1947 on completion of 240 days' continuous service in violation of standing orders and retaining juniors in service by ignoring the principle of “First Come, Last go,” is legal and justified. If not, to what relief of consequential service benefits including re-instatement, back wages, seniority and amount of compensation, Shri Ram Dev is entitled?”

शिमला-1, 14 मार्च, 2000

संख्या 11-1/85 (नै) आई० डी०-नाग.—अग्रोहस्ताक्षरी को यह प्रतीत होता है कि Sri Daarm Singh and Deputy Manager, Incharge, H. P. Electronic Development Project, Nagribal, Teh. Palampur District Kangra (2) The Managing Director, H. P. Electronics Development Corp. Shimla (H. P.) के मध्य नीचे दिये गये विषय पर औद्योगिक विवाद है ;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12 (4) के अधीन समझौता अधिकारी द्वारा प्रस्तुत की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने के पश्चात्, अग्रोहस्ताक्षरी ने निर्णय लिया है कि मामला

अथ न्यायानुसंगिक अधिकरण को अधिनियम के लिए भेजने काय है।

अथ: हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना नम्बर 19-8/89-अम (नूत्र), दिनांक 7 सितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1917 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित अथ न्यायानुसंगिक अधिकरण हिमाचल प्रदेश को नीचे व्याख्या किये गये विषय पर अधिनियम देने के लिए भेजा जाता है :-

"1. Whether the termination of services of Shri Dharm Singh Ex-daily wages Chokidar by (1) Dy. Manager, Incharge, H. P. Electronics Development Project, Nagribal, Tehsil Palampur, District Kangra H. P. and (2) The Managing Director, H P Electronics Development Corp. Shimla w. e. f. 3/99 without any notice, and without compliance of section 25 (F) of the Industrial Disputes Act, 1947, on completion of 240 days' continuous service by remaining junior in service without adhering the Principle of "First come, Last go" is legal and justified. If not, to what relief of consequential service benefits, including reinstatement, back wages, seniority and amount of compensation Shri Dharm Singh is entitled ?

"2. Whether Shri Dharm Singh, has left the services on his own, as alleged. If not its effect ?"

हस्ताक्षरित/-
अमायुक्त ।

भाषा कला एवं संस्कृति विभाग

अधिसूचना

शिमला-2, 2 फरवरी, 2000

संख्या एलओसीओ-ए(3) 64/99 --हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से इस विभाग की अधिसूचना, संख्या: भाषा-ए (3) 23/87, तारीख 28-12-1989 द्वारा अधिसूचित हिमाचल प्रदेश भाषा कला एवं संस्कृति विभाग, में मूतिकार (वर्ग-III अराजपत्रित) के पद के भर्ती एवं प्रोन्नति नियमों में संशोधन करते हुए निम्नलिखित नियम बनाते हैं, अर्थात्:-

1. संक्षिप्त नाम और प्रारम्भ.--(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश भाषा, कला एवं संस्कृति विभाग मूतिकार (वर्ग-III अराजपत्रित) भर्ती एवं प्रोन्नति (प्रथम संशोधन) नियम, 2000 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. उपाब्ध "अ" का संशोधन.--हिमाचल प्रदेश भाषा, कला एवं संस्कृति विभाग मूतिकार (वर्ग-III अराजपत्रित) भर्ती एवं प्रोन्नति नियम, 1989 के उपाब्ध "अ" में:-

(क) स्तम्भ संख्या 4 के तानने विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित की जायेगी, अर्थात्:-

"5480-160-5800-200-7000-220-8100-275-8925 रुपये."

(ख) स्तम्भ संख्या 6 के सामने विद्यमान उपाब्धों में अंकों और शब्दों "18 से 35 वर्ष" के स्थान पर "18 से 33 वर्ष" अंक और शब्द प्रतिस्थापित किए जाएंगे।

आदेश द्वारा,
अजय प्रसाद,
वित्तायुक्त एवं सचिव।

[Authoritative English text of this Department Notification No. LCD-A(3)64/99, dated 2-2-2000 as required under Clause (3) of Article 343 of the Constitution of India].

LANGUAGE ARTS & CULTURE DEPARTMENT NOTIFICATION

Shimla-171002, the 2nd February, 2000

No. LCD-A (3) 64/99.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following rules to amend the Himachal Pradesh Language Arts & Culture Department Modeller (Class-III Non-Gazetted) Recruitment and Promotion Rules, 1989 notified vide this Department Notification No. Bhasha-A (3) 23/87, dated 28-12-1999, namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Language Arts & Culture Department Modeller (Class-III Non-Gazetted) Recruitment and Promotion (First Amendment) Rules, 2000.

(2) These rules shall come into force from the date of publication in the Rajptra, Himachal Pradesh.

2. Amendment of Annexure "A".—In Annexure "A" to the Himachal Pradesh Language Arts & Culture Department Modeller (Class-III Non-Gazetted) Recruitment and Promotion Rules, 1989:—

(a) For the existing entries against Column No. 4, the following shall be substituted, namely:—

"Rs. 5480-160-5800-200-7000-220-8100-275-8925".

(b) In provisions against Column No. 6, for the word and figures between "18 to 35 years" the words and figures "between 18 to 33 years" shall be substituted.

By order,

AJAY PRASAD,
F. C.-cum-Secretary.

लोक निर्माण विभाग

अधिसूचना

शिमला-2, 24 फरवरी, 2000

संख्या पीओ डब्ल्यू(ए) पी (5)-2/95.--हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिसूचना संख्या पीओ डब्ल्यू(ए)-पी (5)-2/95, तारीख 6 जनवरी, 1998 द्वारा अधिसूचित हिमाचल प्रदेश लोक निर्माण विभाग में चौकीदार, वर्ग-IV (अराजपत्रित) पद के भर्ती एवं प्रोन्नति नियमों में और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:-

1. संक्षिप्त नाम और प्रारम्भ.--(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश लोक निर्माण विभाग, चौकीदार, वर्ग-IV (अराजपत्रित), भर्ती एवं प्रोन्नति (प्रथम संशोधन) नियम, 2000 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. उपावन्ध "अ" का संशोधन.—हिमाचल प्रदेश लोक निर्माण विभाग, चौकीदार वर्ग-IV (अराजपत्रित) के भर्ती एवं प्रोन्नति नियम, 1998 के उपावन्ध "अ" में :—

(क) हिमाचल प्रदेश, लोक निर्माण विभाग, चौकीदार, वर्ग-IV (अराजपत्रित) के भर्ती एवं प्रोन्नति नियमों में स्तम्भ संख्या 2, 4 और 6 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित की जायेगी, अर्थात् :—

(i) स्तम्भ संख्या 2 : 6 (छः)

(ii) स्तम्भ संख्या 4 : "रूपये 2520-100-32 20-110-3660-120-41 40 (रु 2620/- प्रारम्भिक आरम्भ के साथ)।"

(iii) स्तम्भ संख्या 6 : 18 से 38 वर्ष।

3. उपावन्ध "अ" का संशोधन.—हिमाचल प्रदेश लोक निर्माण विभाग, चौकीदार, वर्ग-IV (अराजपत्रित) के भर्ती एवं प्रोन्नति नियम 1998 के उपावन्ध "अ" में :—

(ख) हिमाचल प्रदेश, लोक निर्माण विभाग, चौकीदार, वर्ग-IV (अराजपत्रित) के भर्ती एवं प्रोन्नति नियमों की स्तम्भ संख्या 2, 4 और 6 के सामने विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित की जाएंगी, अर्थात् :—

(i) स्तम्भ संख्या 2 : 342 (तीन सौ ब्यालीस)

(ii) स्तम्भ संख्या 4 : रूपये 2520-100-3220-110-3660-120-4140 (रु 2620/- प्रारम्भिक आरम्भ के साथ)

(iii) स्तम्भ संख्या 6 : 18 से 38 वर्ष

आदेश द्वारा,

कंवर शमशेर सिंह,
वितायुक्त एवं सचिव।

[Authoritative English text of this Department Notification No. PCH-HB(3)2/95, dated 9-2-2000 as required under clause (3) of Article 348 of the Constitution of India].

PANCHAYATI RAJ DEPARTMENT

NOTIFICATION

Shimla-171 009, the 9th February, 2000

No. PCH-HB (3) 2/95-2701—2890.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following Rules to amend the Himachal Pradesh Panchayati Raj Department, Senior Assistant Class-III (Non-Gazetted) Recruitment and Promotion Rules, 1996 notified vide notification No. PCH-HB (2)1/92 dated 15-7-1996, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Panchayati Raj Department, Senior Assistant (Class-III) Non-Gazetted Recruitment and Promotion (First Amendment) Rules, 2000.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

2. *Amendment of Annexure 'A'.*—In Annexure 'A' to the Himachal Pradesh Panchayati Raj Department

Senior Assistant, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 1996 :—

(a) For the existing provisions against Column No. 4, the following shall be substituted, namely :—

"Rs. 5800-200-7000-220-8100-275-9200."

(b) For the existing provisions against Column No. 11, the following shall be substituted namely :—

"By promotion from amongst the incumbents of Clerical cadre (which includes Clerks/Junior Assistants) who possess 10 years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-98) service in their cadre".

"By promotion from amongst the Junior Assistants with 5 years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-98) service in the grade.

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post upto 31-3-1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of Recruitment & Promotion Rules, provided that :

(i) In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1998 followed by regular service/appointment) in the feeder post in view of the provision referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration :

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least 3 years or that prescribed in the Recruitment and Promotion Rules for the post whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly in all cases of confirmation continuous *ad hoc* service rendered on the feeder post upto 31-3-1998, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provisions of the Recruitment and Promotion Rules :

Provided that *inter se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered upto 31-3-1998 as referred to above shall remain unchanged.

By order,

Sd/-
Commissioner-cum-Secretary.

भाग-4—स्थानीय स्वायत्त शासन, म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन परिषद तथा पंचायती राज विभाग

भाग-5—वैयक्तिक अधिसूचनाएं और विज्ञापन

HIMACHAL PRADESH STATE ELECTRICITY BOARD

NOTIFICATION

OFFICE ORDER NO. 7

Dated 2-9-1999

In pursuance of section 29 of the Electricity (Supply) Act, 1948, it is hereby notified that HPSEB proposes to undertake the execution of RENUKA DAM PROJECT (40 MW). Brief description of the project is as under:—

Name : **RENUKA DAM PROJECT (40 MW) IN DIST. SIRMAUR (H.P.)**

Tentative Cost: Rs. 1224.64 Cr. (May, 1997 level).

Renuka Dam Project has been contemplated as a storage scheme over river Giri a tributary of Yamuna river at +1.5 km upstream of Dadahu bridge and 375 m

down stream of the confluence of Jogar-Ka-Khala with River Giri. The Project has been primarily conceived to store the monsoon waters of river Giri, to be released in a regulated manner @ 23 cumecs for 9 months (during non monsoon period) in a year for meeting the water supply requirement of National Capital Territory, Delhi. The available had from storage in the project shall be utilized to generate 40 MW of Power at the toe of the dam.

- .. The Project comprises the following.
- .. A rock fill dam 148 m high (above river bed level) with inclined impervious clay core with top of the dam at EL+ 778m and Full

Reservoir Level as +766 m.

- .. A chute spillway on left bank with crest EL+755 m having 4 bays controlled by 4 radial gates (13.50m x 12m).
- .. Three diversion tunnels each 7 m dia, +1400

m long on the right bank. One of these shall later on be used as power tunnel and other to tunnels shall be used as spill way tunnels in conjunction with chute spillway.

- .. A surface Power House with 2 nos. vertical axis francis units of 20 MW capacity each.

The Renuka Dam will provide a seasonal live storage of 49,8000 hectaremetre between EL 710.5 m and 766 m for water supply to Delhi. The space between EL. 766m and EL 772.5 m shall be utilized for moderating the flood peaks.

The project will generate 168 MKwh of firm power besides additional 44 Mkw power generation at Majri (Giri) power house in a 90% dependable year. This will mitigate the scarcity of power in Himachal Pradesh during winter months to some extent.

In terms of the provisions of section-29 (2) of the Electricity (Supply) Act, 1948 as amended, the sanction of the aforesaid scheme by HPSEB, is hereby notified to the general public by the publication, in the official Gazette and leading local daily news papers.

Notice is hereby given that any licensee or other person interested may raise any objection and/or make any representation on the above scheme within two month of the publication of this notice whereafter no objection and or representation will be entertained and the scheme shall be implemented as approved by the Board.

Necessary plans showing the layout etc. may be inspected on any working day in the office of Executive Engineer, Renuka Investigation Division, HPSEB, Dadahu, District Sirmaur (H.P.). Objections and

representations, in respect of above scheme, if any, may be sent to the undersigned.

Sd/-
Chief Engineer (P&M),
HPSEB, Shimla-4.

नेशनल यमल पावर कारपोरेशन लिमिटेड

(भारत सरकार का उद्यम)

एन टी पी सी भवन, स्कोप काम्प्लेक्स 7, इन्स्टीट्यूशनल एरिया, लोदी रोड, नई दिल्ली-110003.

अधिसूचना

संदर्भ सं 01 : एसईसी : जीएन : 28 दिनांक : 10-3-2000

कोल डेम हाइड्रो इलेक्ट्रिक पावर प्रोजेक्ट (800 मे 0 वा 10)

यथासंशोधित विद्युत (आपूर्ति) अधिनियम, 1948 की धारा 29(2) के अधीन योजना की अधिसूचना ।

जबकि यथासंशोधित विद्युत (आपूर्ति) अधिनियम, 1948 की धारा 28 के अधीन प्रदत्त अपनी शक्तियों का प्रयोग करते हुए उपर्युक्त अधिनियम के तहत भारत सरकार द्वारा स्थापित एक उत्पादक कंपनी (आगे इसे उत्पादक कंपनी कहा जाएगा) नेशनल यमल पावर कारपोरेशन लिमिटेड (आगे इसे एन. टी. पी. सी. कहा जाएगा), जिसका पंजीकृत कार्यालय एन. टी. पी. सी. भवन, स्कोप काम्प्लेक्स, 7 इन्स्टीट्यूशनल एरिया, लोदी रोड, नई दिल्ली में स्थित है, हिमाचल प्रदेश के बिलासपुर जिले में देहरा विद्युत संयंत्र के निकट 800 मेगावाट क्षमता के जल विद्युत ऊर्जा उत्पादन स्टेशन की स्थापना, निर्माण तथा प्रचालन सम्बन्धी योजना को अन्तिम रूप दे रहा है ;

और जबकि उक्त अधिनियम की धारा 29(2) के अधीन अन्तिम रूप देने के पूर्व उत्पादक कंपनी से ऐसी योजना को सम्बन्धित राज्य के सरकारी राजपत्र और ऐसे स्थानीय समाचार पत्रों जिसे उत्पादक कंपनी आवश्यक समझे, में प्रकाशित कराने की अपेक्षा होती है; दिलचस्पी रखने वाले लाइसेंसधारी और अन्य व्यक्ति इस अधिसूचना के प्रकाशन की तारीख से दो महीने के भीतर अभ्यावेदन कर सकते हैं ।

इसलिए अब उत्पादक कंपनी एतद्वारा उपरोक्त अधिनियम की धारा 29(2) के अनुसार योजना निम्नानुसार प्रकाशित करती है ;

1. शीर्षक : योजना को 800 मेगावाट क्षमता वाली 'कोल डेम हाइड्रो इलेक्ट्रिक पावर प्रोजेक्ट', जिसे आगे 'कोल डेम एच. ई. पी. पी.' कहा जाएगा ।
2. अवस्थिति : प्रस्तावित कोल डेम हाइड्रो इलेक्ट्रिक पावर प्रोजेक्ट हिमाचल प्रदेश के बिलासपुर जिले में सतलुज नदी पर बने ब्यास सतलुज लिंक (बी. एस. एल.) प्रोजेक्ट के मौजूदा देहरा पावर प्लांट के निकट स्थित है। इस उद्देश्य हेतु भूमि अधिग्रहण अधिनियम के अन्तर्गत लगभग 3700 हेक्टेयर भूमि के अधिग्रहण का प्रस्ताव है ।
3. योजना की मुख्य विशेषताएं.—कोल डेम एच. ई. पी. पी. को भारत सरकार की वृहत् विद्युत नीति वृहत् विद्युत परि-योजना के रूप में निर्धारित किया गया है । प्रस्तावित कोल डेम हाइड्रो इलेक्ट्रिक पावर प्रोजेक्ट में सम्बद्ध सुविधाओं, सहायक उपकरणों आदि सहित 800 मेगावाट हाइड्रो इलेक्ट्रिक पावर प्लांट स्थापित करने की योजना है । विद्युत संयंत्र में एक बांध तथा एक पावर हाउस का निर्माण करके सतलुज नदी तथा उपलब्ध ड्राफ का उपयोग करने की योजना है ।

परियोजना के लिए आवश्यक विद्युत निकासी प्रणाली का निर्माण पावर ग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड द्वारा अपने खर्च पर किया जाएगा तथा वही इसके लिए लागू कानूनों के अन्तर्गत आवश्यक अधिसूचना आदि प्रकाशित करवाएगा।

4. योजना की अनुमानित लागत : प्रस्तावित योजना की वर्ष 2000 की प्रथम तिमाही के मूल्य सूचकांक पर अनुमानित लागत लगभग रुपये 3900 करोड़ है।

5. लाभ : उक्त योजना से हिमाचल प्रदेश राज्य, अन्य राज्य तथा उत्तरी क्षेत्र में राज्य क्षेत्रों को लाभ प्राप्त होने की आशा है। योजना का लाभ सक्षम प्राधिकारी के आवश्यक अनुमोदन तथा वित्तीय संस्थाओं/बैंकों के साथ वित्तीय व्यवस्था का समझौता होने की शर्तों पर 11वीं योजना अवधि में प्राप्त होने की आशा है।

6. विद्युत (आपूर्ति) अधिनियम और भारतीय तार अधिनियम के अधीन उत्पादक कम्पनी की शक्तियाँ : यथा संशोधित विद्युत (आपूर्ति) अधिनियम, 1948 के अनुकरण में एन. टी. पी. सी. उक्त अधिनियम के अधीन उपरोक्त योजना के प्रयोग के लिए उत्पादक कम्पनी में निहित सभी शक्तियों का प्रयोग करेगा। एतद्वारा यह भी अधिसूचित किया जाता है कि यथा संशोधित विद्युत (आपूर्ति) अधिनियम, 1948 की धारा 42 के अनुसार एन. टी. पी. सी. को स्वीकृत योजना का प्रारम्भ और निष्पादन करते समय विद्युत के पारेषण और वितरण के लिए तारों को बिछाने, खनने, डोनाल, ब्रेकेट, पकड़ उपकरण और अन्य उपकरण रखने की सभी शक्तियाँ होंगी अथवा उत्पादक कम्पनी के निर्माण कार्य के उचित समन्वय के लिए आवश्यक तार अथवा टेलीफोन संचार के पारेषण की वे सभी शक्तियाँ होंगी जिन्हें तार प्राधिकारी सरकार द्वारा स्थापित अथवा अनुरक्षित अथवा इस प्रकार स्थापित अथवा अनुरक्षित किए जाने वाले तार के सम्बन्ध में भारतीय तार अधिनियम, 1885 (1885 की अधिनियम संख्या 13) के भाग-3 के अधीन रखते हैं। वस्तु यह कि जहाँ स्वीकृत योजना यथा उपरोक्त ऐसी व्यवस्था नहीं करती वहाँ भारतीय विद्युत अधिनियम, 1910 की धारा 12 से 19 तक के सभी उपबन्ध लागू होंगे।

उक्त अधिनियम की धारा 29(2) के अधीन यह सूचना दी जाती है कि इस प्रकार की दिवसों रखने वाला कोई नाईसंशोधित अथवा अन्य व्यक्ति इस अधिसूचना के प्रकाशन की तारीख से दो (2) महीने के भीतर उपरोक्त योजना के सम्बन्ध में अपना प्रभाववेदन कर सकता है, जिसके बाद आगे किसी प्रभाववेदन पर विचार नहीं किया जाएगा।

आदेशानुसार,

हस्ताक्षरित/-
नेशनल थर्मल पावर कारपोरेशन लिमिटेड

हस्ताक्षरित/-
(अंजन कुमार वाजपेयी),

कम्पनी सचिव,
नेशनल थर्मल पावर कारपोरेशन लिमिटेड
(भारत सरकार का उद्यम)

एन 0 टी 0 सी 0 भवन, कोर-7, स्कोप कॉम्प्लेक्स,
7, इस्टीमेशन एरिया, लोदी रोड,
नई दिल्ली-110003.

NATIONAL THERMAL POWER CORPORATION LTD
(A GOVERNMENT OF INDIA ENTERPRISE)

NTPC BHAWAN, SCOPE COMPLEX, 7-INSTITUTIONAL AREA LODHI ROAD, NEW DELHI-110 003

NOTIFICATION

New Delhi, the 10th March, 2000

KOL DAM HYDRO ELECTRIC POWER PROJECT
(800 MW)

Notification of the Scheme under Section 29 (2) of the Electricity (Supply) Act, 1948 as amended.

No. 01 SEC GN 28.—Whereas in exercise of its power under section 28 of the Electricity (Supply) Act, 1948, as amended National Thermal Power Corporation Limited (hereinafter referred to as 'NTPC') having its registered office at NTPC Bhawan, Scope Complex, 7 Institutional area, Lodhi Road, New Delhi, a Generating Company under the Electricity Supply Act (hereinafter referred to as 'Generating Company,') is finalising the scheme relating to establishments, construction and operation of Hydro Electric Power Generating Station of 800 MW capacity, near Dehar Power Plant, in Bilaspur District of Himachal Pradesh;

And whereas Section 29(2) of the said Act the Generating company, before finalisation is required to cause such schemes to be published in the Official Gazette of the State concerned and in such local newspapers as the Generating Company may consider necessary, the licencees and other persons interested may make representations within two months from the date of publication of this Notification.

Now, therefore, the Generating Company hereby publishes the scheme in terms of Section 29(2) of the aforesaid Act as follows:—

1. Title.—The Scheme shall be called "Kol Dam Hydro Electric Power Project" having 800 MW capacity, hereinafter called 'Kol Dam HEPP'.

2. Location:—The proposed Kol Dam Hydro Electric Power Project will be located near existing Dehar Power Plant of Beas Satluj link (B. S. L.) project on Satluj river in the district of Bilaspur, Himachal Pradesh. Around 3700 hectares of land is proposed to be acquired under Land Acquisition Act for this purpose.

3. Salient Features of the Scheme.—The Kol Dam HEPP has been identified as a Mega Power Project under GOL's Mega Power Policy. The proposed Kol Dam Hydro Electric Power Project envisages setting up of 800 MW Hydro Electric Power Plant along with associated facilities, auxiliary equipment etc. The Power Plant envisages utilisation of Water of river Satluj and available drop by constructing a Dam and a Power house.

Necessary power evacuation system for the project will be constructed by Power Grid Corporation of India Ltd., at their own cost who will publish necessary notification etc., for the same under the applicable laws.

4. Estimated Cost of the Scheme.—The Estimated Cost of the proposed scheme at 1st Qtr. 2000 Price level is Rs. 3900 Crs approx.

5. Benefits.—The state of Himachal Pradesh, other States and Union Territories in the Northern Region are expected to be benefited from the said scheme. The benefits of the scheme are expected to be available in the 11th Plan period subject to necessary approvals of Competent Authority and tying up of financing arrangements with Financial Institutions/Banks.

6. Power of the Generating Company under Electricity (Supply) Act and Indian Telegraph Act.—In pursuance of

the Electricity (Supply) Act, 1948 as amended, NTPC shall exercise all the powers vested in a "Generating Company: under the said Act for the purposes of aforesaid scheme. It is also hereby notified that in terms of Section-42 of the Electricity (Supply) Act, 1948, as amended, NTPC while undertaking and executing the sanctioned scheme shall have all the powers of placing of any wires, poles, wall brackets, stays apparatus and other appliances for transmission and distribution of electricity or for the transmission of telegraphic, or telephonic communication necessary for the proper co-ordination of the works of the Generating Company all the powers which the Telegraphic Authority possesses under the Part-III of the Indian Telegraph Act, 1885 (Act. No. XIII of 1885) with regard to a telegraph established or maintained by the Government or to be so established or maintained: Provided that where a sanctioned scheme does not make such provision as aforesaid, all the provision of Section 12 to 19 of the Indian Electricity Act, 1910 shall apply.

Notice is hereby given under section 29(2) of the said Act that any licensee or other person so interested may make his/their representation of above Scheme, if any, within two (2) months from the date of publication of this Notification after which no further representation will be considered.

By the order of
National Thermal Power Corporation Limited

Sd/-

ANJAN KUMAR BAJPAIE,
Company Secretary.

Before the District Magistrate, Bilaspur
Himachal Pradesh

PUBLIC NOTICE

Whereas Shri Bhaghat Singh Verma s/o Shri Krishan Dass Verma, D.C.M. Building, near Champa Park, Main Market, Bilaspur, Himachal Pradesh, has applied for his appointment as Public Notary at Bilaspur, therefore, it is notified to the General Public that if any person has got any objection against his appointment as Public Notary, he should file the same before the undersigned within 14 (fourteen) days from the publication of this notice.

2. No objection will be entertained after the expiry of the said period.

JAGDISH CHANDER SHARMA.
District Magistrate.

व अदालत श्रीमती सुषमा वत्स, नायब तहसीलदार एवं सहायक समाहर्ता
द्वितीय श्रेणी फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्दमा नम्बर 4/एन0टी0एफ/2000 तिथि दायर 14-10-99

करतारा बनाम विशम्बर बगैरा

नोटिस बनाम.— (1) अशोक कुमार सुपुत्र श्री वरियाम सिंह साकन
सवारपोस्ट आफिस हाजिपुर, तहसील मुकरिया (पंजाब), (2) प्रीतम
चन्द सुपुत्र वकील, साकन रंहेतपुर, तहसील फतेहपुर, जिला कांगड़ा,
हिमाचल प्रदेश ।

वरखवास्त तकसीम भूमि खाता नम्बर 5 खतौनी नं० 20 खसरा नम्बर
212 व रकबा 3-01-55 हैक्टयर महाल रहतपुर, मौजा तहसील
फतेहपुर, जिला कांगड़ा ।

उपरोक्त भूमि की तकसीम मिसल इस न्यायालय में विचाराधीन
है जिसमें उपरोक्त फरीकदोयम को कई बार समन जारी किया
गया परन्तु उसकी तामील नहीं हो रही है ।

अतः उक्त न्यायालय को यह पूरा यकीन हो चुका है कि उपरोक्त फरीक
दोयम की तामील साधारण तरीका से नहीं हो सकती । अतः फरीक दोयम
को इस इस्तहार द्वारा सूचित किया जाता है कि वह दिनांक 10-4-2000
को प्रातः 10 बजे अदालत या वकालत इन अदालत में
हाजिर होकर मुकद्दमा की परखी करें । न आने की मूरत में यक-
तरफा कार्यवाही अमल में लाई जावेगी । इसके पश्चात् कोई उज्जर
काबिले समायत नहीं होगा ।

आज दिनांक 15-2-2000 को मेरे हस्ताक्षर व मोहर अदालत से
जारी हुआ ।

मोहर ।

सुषमा वत्स,
सहायक समाहर्ता द्वितीय श्रेणी,
फतेहपुर, जिला कांगड़ा ।

व अदालत एम0 आर0 गुलेरिया, नायब तहसीलदार एवं प्रशासनिक
दण्डाधिकारी, जयसिंहपुर, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्दमा नं० : 8/एन/2000

किस्म मुकद्दमा : मृत्यु

उनवान मुकद्दमा :

श्री जगदीश सुपुत्र श्री फकीर, गांव खाल्डा, डाकघर संज्ञा 1, तहसील
जयसिंहपुर .. प्रार्थी ।

बनाम

आम जनता

.. प्रत्यार्थी ।

विषय:— प्रार्थना-पत्र जेर धारा 13 (3) जन्म व मृत्यु पंजीकरण
अधिनियम 1969.

नोटिस बनाम :

आम जनता ।

प्रार्थी श्री जगदीश सुपुत्र श्री फकीर ने प्रार्थना-पत्र पेश किया है कि
उमके पिता श्री फकीर को मृत्यु दिनांक 24-3-1990 को गांव खाल्डा में
हुई है । परन्तु गलती से पंचायत रिकार्ड में दर्ज न करवाया गया है तथा
अब दर्ज करने की प्रार्थना की है ।

अतः इस इस्तहार राजपत्र द्वारा समस्त जनता व सम्बन्धित रिश्ते-
दारों को सूचित किया जाता है कि उक्त व्यक्ति की मृत्यु तिथि दर्ज करने में
में किसी को आपत्ति/ऐतराज हो तो वह दिनांक 10-4-2000 को प्रातः
10 बजे हमारे समक्ष अदालत हजा में हाजिर आकर स्वयं या किसी
वकील के माध्यम से वजह ब्यान करें अन्यथा एक तरफा कार्यवाही
अमल में लाई जावेगी ।

आज दिनांक 29-2-2000 को यह इस्तहार मेरे हस्ताक्षर व मोहर
अदालत से जारी किया गया है ।

मोहर ।

एम0 आर0 गुलेरिया,
प्रशासनिक दण्डाधिकारी,
जयसिंहपुर, जिला कांगड़ा (हि0 प्र0) ।

व अदालत जनाब सहायक समाहर्ता द्वितीय श्रेणी, पालमपुर, जिला
कांगड़ा (हि0 प्र0)

महताब सिंह बनाम प्रीतम सिंह आदि मालकान ।

पेशी

दिनांक 10-4-2000.

प्रार्थनापत्र बराये तस्दीक इस्तकाल अताये हुकूक मलकियत जेर धारा
104 (3) हिमाचल प्रदेश भू-सुधार एवं भू-जारा अधिनियम 1972.

श्री किन्दर सिंह सुपुत्र श्री महताब सिंह सुपुत्र श्री मराफ, निवासी
महाल लाहमणा, मौजा टिककर, तहसील पालमपुर ने अदालत में प्रार्थना
पत्र दिया है कि खाता नम्बर 57 मिन खतौनी नम्बर 147 खसरा नम्बर
38 में अताये हुकूक का इस्तकाल तस्दीक किया जाना है । जिसमें माल-
कान (1) प्रीतम सिंह सुपुत्र रामरथ, (2) गुरुवचन सिंह, (3) गर्वधन
सिंह पुतगण गौरीधर, (4) जै सिंह, सुपुत्र नौशा सुपुत्र गुरुमज्ज, वासी
लाहमण मौजा टिककर, तहसील पालमपुर को कई बार समन भेजा गया
वह हाजिर न आ रहे हैं । अतः मालकान को बजरिया इस्तहार सूचित

किया जाता है कि वह दिनांक 14-04-2000 को प्रातः 10 बजे अदालत में हाजिर आकर ब्यान करें अन्यथा वहक महताव सिंह इन्तकाल अताय हकूक मलकियत तस्दीक कर दिया जायेगा।

अतः अदालत की मोहर व मेरे हस्ताक्षर के साथ जारी हुआ।

मोहर।

हस्ताक्षरित/-
सहायक समाहर्ता द्वितीय श्रेणी,
पालमपुर (कांगड़ा)।

व अदालत श्री देविन्द्र सिंह चन्देल, सहायक समाहर्ता प्रथम श्रेणी, कल्पा, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश

मिसल नम्बर 29/99 ता 30/99. तारीख पेशी 19-4-2000

नाम मुकद्मा : भारत भूषण बनाम बलबहादुर सिंह बगौर।

किस्म मुकद्मा :

तकसीम भूमि खाता खतौनी नम्बर 92/132, 33 कित्ता 6, कुल रकबा तादादी 0-24-55 है 0 वाका उप-महाल कशंग्राम, खाता खतौनी नम्बर 96/202, कित्ता 5, रकबा तादादी 0-56-90 है 0 वाका उप-महाल खवांटा, खाता खतौनी नम्बर 48/60 कित्ता 6, रकबा तादादी 0-58-38 है 0, खाता खतौनी नम्बर 49/61, खसरा नम्बर 160 रकबा तादादी 0-36-70 है 0 व खाता खतौनी नम्बर 97/191 ता 194, कित्ता 4, रकबा तादादी 0-14-40 है 0 वाका उप-महाल पांगी खास, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश जमाबन्दी साल 1993-94.

बनाम : श्री रोहिताश पुत्र श्री बलदेव सिंह, निवासी ग्राम पांगी, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश।

उपरोक्त उनवान मुकद्मा में प्रत्यार्थी को बजरिया समन तलब करने पर पाया गया कि वह मुकाम पर नहीं रहता है और उनका सही पता न होने के कारण उनकी तामील साधारण तौर से नहीं हो सकती है। अतः उन्हें इस इशतहार के माध्यम से सूचित किया जाता है कि वह असालतन या बकालतन दिनांक 19-4-2000 को प्रातः 10 बजे हाजिर अदालत आकर मुकद्मा उपरोक्त की पैरवी करें अन्यथा हस्ब जाब्ता कार्यवाही अमल में लाई जावेगी।

आज दिनांक 23-2-2000 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

देविन्द्र सिंह चन्देल,
सहायक समाहर्ता प्रथम श्रेणी,
कल्पा, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश।

व अदालत श्री देविन्द्र सिंह चन्देल, सहायक समाहर्ता प्रथम श्रेणी (तहसीलदार), कल्पा, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश

मुकद्मा शीर्षक:- तस्दीक इन्तकाल

श्री हरमन सिंह पुत्र श्री पदम चन्द, निवासी ग्राम युवारीगी, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

त्रिपय-अदालत द्वारा नमूद व्यक्ति (मकफूद-उल-खवरी) श्री माहिन्द्र सिंह पुत्र पदम चन्द, निवासी ग्राम युवारीगी, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश।

श्री हरमन सिंह पुत्र श्री पदम चन्द, निवासी ग्राम युवारीगी ने अदालत द्वारा मेरे एक प्रायश्चय पत्राग है कि उपरोक्त श्री माहिन्द्र सिंह लगभग 30 सालों से लापता है। इस प्रसा में उनका किसी भी रिश्तेदारों, सगे सम्बन्धितों के साथ कोई भी पत्र व्यवहार नहीं हुआ है। इससे प्रतीत होता है कि उपरोक्त माहिन्द्र सिंह अब इस संसार में जीवित नहीं है।

अतः इस इशतहार द्वारा सूचित किया जाता है कि मोहिन्दर सिंह उपरोक्त की बिरासत का इन्तकाल उसके जायज बारसान के नाम तस्दीक करने बार किसी व्यक्ति को यदि कोई एतराज हो तो वह दिनांक 19-4-2000 को मेरी अदालत में असालतन/बकालतन हाजिर होकर एतराज पेश कर सकता है। उक्त दिनांक के बाद किसी भी व्यक्ति का एतराज नहीं सुना जाएगा व इन्तकाल मकफूद-उल-खवरी उसके जायज बारसान के नाम तस्दीक कर दिया जाएगा।

आज दिनांक 23-2-2000 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

देविन्द्र सिंह चन्देल,
सहायक समाहर्ता प्रथम श्रेणी (तहसीलदार),
कल्पा, जिला किन्नौर, हिमाचल प्रदेश।

व अदालत कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू
हिमाचल प्रदेश

श्री शंकर दास सुपुत्र श्री जुगम देव

..वादी।

बनाम

ग्राम जनता

...प्रतिवादी।

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता

श्री शंकर दास सुपुत्र श्री जुगम देव, निवासी खजेड़ा, तहसील देववा, जिला कुल्लू, हिमाचल प्रदेश ने दरखास्त गुजारी है कि उसके पुत्र विकास का जन्म दिनांक 22-6-1993 को हुआ है जिसका नाम पंचायत अभिलेख में दर्ज न है।

अतः इस नोटिस द्वारा ग्राम जनता व सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को जन्म तिथि दर्ज करने वाले एतराज हो तो वह दिनांक 27-4-2000 को इस अदालत में हाजिर आवे अन्यथा सम्बन्धित ग्राम पंचायत को जन्म तिथि दर्ज करने वाले आदेश जारी कर दिया जायेगा।

आज दिनांक 18-2-2000 को मेरे हस्ताक्षर व मोहर सहित जारी हुआ।

मोहर।

हस्ताक्षरित/-
कार्यकारी दण्डाधिकारी, निरमण्ड।

व अदालत कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू,
हिमाचल प्रदेश

श्री सोहन लाल सुपुत्र श्री शेतू राम

..वादी।

बनाम

ग्राम जनता

..प्रतिवादी।

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969।

नोटिस बनाम ग्राम जनता।

श्री सोहन लाल सुपुत्र श्री शेतू राम, निवासी पाली, फाटी कशोली, कोठी ठोल, तहसील निरमण्ड, जिला कुल्लू ने दरखास्त गुजारी है कि उसके पुत्र डिम्पल व ईन्दु बन्पल का जन्म दिनांक 1-6-1994 तथा 4-6-1996 को हुआ है। जिनका नाम पंचायत अभिलेख में दर्ज न है।

अतः इस नोटिस द्वारा ग्राम एवं सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को इन जन्म तिथियां दर्ज करने वाले किसी प्रकार का कोई एतराज हो तो वह दिनांक 27-4-2000 को इस अदालत में हाजिर आवे अन्यथा सम्बन्धित ग्राम पंचायत को इन जन्म तिथियों दर्ज करने के आदेश जारी कर दिये जाएंगे।

आज दिनांक 18-2-2000 को मेरे हस्ताक्षर व मोहर सहित जारी हुआ।

मोहर।

हस्ताक्षरित/-
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू हिमाचल प्रदेश।

व अदालत श्री एस0 पी0 रोल्टा, उप-मण्डल मैजिस्ट्रेट, जोगिन्दरनगर व मुकद्दमा :

श्री अनूप सिंह पुत्र श्री बहादुर सिंह, निवासी चैहड़, डा0 पाली, तहसील पधर, जिला मण्डी।

बनाम

ग्राम जनता।

दख्खास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969।

उपरोक्त उन्वान मुकद्दमा में श्री अनूप सिंह पुत्र श्री बहादुर सिंह निवासी चैहड़, डा0 पाली, तहसील पधर ने इस अदालत में आवदन-पत्र प्रस्तुत किया है कि उसकी पुत्री अंजना का जन्म दिनांक 31-3-1997 को गांव चैहड़ में हुआ है। जिसका नाम/जन्म तिथि पंचायत अभिलेख पाली में दर्ज न है।

अतः ग्राम जनता को बजरिया इशतहार राजपत्र द्वारा सूचित किया जाता है कि यदि कुमारी अंजना की जन्म तिथि 31-3-1997 ग्राम पंचायत पाली के पंचायत रिकार्ड में दर्ज करने वाले कोई उजर व एतराज हो तो वह दिनांक 7-4-2000 को प्रातः 10.00 बजे अदालत व वकालतन इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा बाद में कोई भी उजर व एतराज काबले समायत न होगा।

आज दिनांक 2-3-2000 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

एस0 पी0 रोल्टा0,
उप-मण्डल मैजिस्ट्रेट,
जोगिन्दरनगर।

व अदालत श्री एस0 पी0 रोल्टा उप-मण्डल मैजिस्ट्रेट, जोगिन्दर-नगर, जिला मण्डी, हिमाचल प्रदेश

व मुकद्दमा :

श्री किशन चन्द पुत्र श्री नूरा राम, निवासी घटासनी हार, तहसील जोगिन्दर नगर

बनाम

ग्राम जनता।

दख्खास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

उपरोक्त उन्वान मुकद्दमा में श्री किशन चन्द पुत्र श्री नूरा राम, निवासी घटासनी हार, तहसील जोगिन्दर नगर ने इस अदालत में आवदन-पत्र प्रस्तुत किया है कि उसका नाम पंचायत रिकार्ड में दर्ज है परन्तु जन्म तिथि पंचायत रिकार्ड गुम्मा में दर्ज न है। अतः जन्म तिथि 18-5-1950 दर्ज करने की अनुमति दी जाए।

अतः ग्राम जनता को बजरिया इशतहार राजपत्र द्वारा सूचित किया जाता है कि श्री किशन चन्द पुत्र श्री नूरा राम, निवासी घटासनी हार की जन्म तिथि 18-5-1950 पंचायत रिकार्ड गुम्मा में दर्ज करने वाले कोई उजर व एतराज हो तो वह दिनांक 7-4-2000 को प्रातः 10.00 बजे अदालत व वकालतन इस अदालत में हाजिर होकर प्रस्तुत कर सकता है। अन्यथा बाद में कोई भी उजर व एतराज काबले समायत न होगा।

आज दिनांक 3-3-2000 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

एस0 पी0 रोल्टा,
उप-मण्डल मैजिस्ट्रेट,
जोगिन्दरनगर।

व अदालत महायक समाहर्ता प्रथम श्रेणी, मरकाघाट, जिला मण्डी, हिमाचल प्रदेश

मिनल नम्बर 26/98.
मुकद्दमा शीर्षक

नारीश्व मन्त्रालय
1-6-1998

श्री आत्मा सिंह पुत्र श्री बंगाली, उपनाम दयाल सिंह, मुखवन सिंह पुत्र व श्रीमति हेम कौर विधवा जागर सिंह पुत्र राम सिंह व निर्मल सिंह बलवीर सिंह पुत्र व जोगिन्दर कौर, चरण कौर, वसन्त कौर, पुर्वी व नरैण कौर विधवा राम सिंह, व मन्तोष सिंह, हगारा सिंह, मरदारा सिंह, पुत्र व मन्त कौर विधवा नरैण सिंह गांव वैहन्जी ईलाका मुरांगा

फरीकदोयम।

बनाम

श्री रेशनलुदर सिंह, दीनानाथ मुकुन्द नरैण, गांव वैहन्जी, ईलाका मुरांगा, हरदेव सिंह पुत्र बंगाली उपनाम दया सिंह, कृपाल सिंह, नाग सिंह पुत्र व श्रीमति गुरमोत कौर पुत्री व श्रीमति वोहरी देवी विधवा मन्त पुत्र कौस गुरदाम पुत्र माह पुत्र गानू, गांव वैहन्जी, ईलाका मुरांगा, तहसील मरकाघाट, जिला मण्डी, हिमाचल प्रदेश

फरीकदोयम।

विषय :—दख्खास्त तकसीम अराजी।

प्रार्थीगणों ने दख्खास्त तकसीम भूमि खेवट खतीना नम्बर 173/88 खवा तादादी-0-00-39 हैक्टर वाक्या मुहाल वैहन्जी अस्तुत की है जिसमें फरीकदोयम का फरीकदोयम के साथ मुशतरफा मानिकान दर्ज कागजात माल है। फरीकदोयम को बार-बार समन करने पर भी तामील नहीं हो पा रही है। अब अदालत को पूर्ण दिखाने हो गया है कि फरीकदोयम को साधारण तरीके से इतलाह नहीं हो सकती है। अतः फरीकदोयम को इस ईशनहार द्वारा सूचित किया जाता है कि वे दिनांक 7-4-2000 को मुबह दम वजे अदालत व वकालतन हाजर अदालत आकर पैरवा मुकद्दमा करें। गम्हाजरी की सूरत में कार्यवाही एक तरफा अमल में लाई जायेगी।

आज दिनांक 1-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
महायक समाहर्ता प्रथम श्रेणी,
मरकाघाट, जिला मण्डी।

व अदालत श्री विजय चन्दन उप-मण्डल दण्डाधिकारी, मुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

व मुकद्दमा :

श्री हेम प्रभ चन्दन मुपुत्र श्री गान्धीराम, निवासी पाठखाला, डाकखाना अप्पर वैहली, तहसील मुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

प्रार्थी।

बनाम

ग्राम जनता

प्रतिवादी।

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969 के अन्तर्गत जन्म तिथि दर्ज करने वाले।

उपरोक्त मुकद्दमा में श्री हेम प्रभ चन्दन प्रार्थी उपरोक्त ने दिनांक 3-3-2000 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उनके मुपुत्र श्री देवदत्त का जन्म दिनांक 8-10-1995 को उनके निवासी अन्तर्गत हुआ है लेकिन समय पर उनकी जन्म तिथि ग्राम पंचायत पालीहटा में दर्ज नहीं करवाई है। अब दर्ज करने का आदेश जारी किया जावे।

अतः आम जनता को इस इस्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई एतराज व उजर आदि हो तो वह पेशी दिनांक 10-4-2000 समय 10.00 बजे सुबह या जगसे पूर्व अनालतन या बकालतन हाजर अदालत होकर पेश करे। अन्यथा दीगर कार्यवाही एक तरफा अमल में लाई जावेगी।

आज दिनांक 10-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

विजय चन्दन,
उप-मण्डल दण्डाधिकारी,
मुन्दरनगर, जिला मण्डो (हि 0 प्र 0)।

व अदालत श्री हिरा लाल ठाकुर, महायक समाहर्ता द्वितीय श्रेणी,
मुन्दरनगर, जिला मण्डो (हिमाचल प्रदेश)

मुकदमा नम्बर 19

तारीख मरजुआ 1-12-1999

व मुकदमा:-

श्री जै कृष्ण उपनाम पवन कुमार सुपुत्र श्री गोविन्द राम, जाति लोहार, हरिजन, निवासी मलापड़, तहसील मुन्दरनगर।

बनाम

आम जनता

प्रार्थना-पत्र बराये दख्खी नाम

उपरोक्त मुकदमा में प्रार्थी जै कृष्ण ने प्रार्थना-पत्र ब्यात हल्फी सहित इस न्यायालय में गुजारा है कि उसे जै कृष्ण उपनाम पवन कुमार के नाम से इलाका में जाना व पहचाना जाता है, किन्तु कागजात मालमुहाल मलापड़ में उनका नाम केवल जै कृष्ण व मुहाल नामों में पवन कुमार दर्ज है। प्रार्थी चाहता है कि कागजात माल में उनका नाम जै कृष्ण उपनाम पवन कुमार दर्ज किया जाये।

अतः आम जनता को बबरिया इस्तहार सूचित किया जाता है कि उरगवन बारे किसी को कोई एतराज हो तो वह अपना एतराज अधो-हस्ताक्षरी को अदालत में दिनांक 10-4-2000 का प्रातः 10 बजे अनालतन या बकालतन पेश कर सकता है। निर्धारित तिथि पर कोई एतराज पेश न करने की मुरत में प्रार्थी का नाम जै कृष्ण उपनाम पवन कुमार कागजात माल में दर्ज करने का आदेश पारित कर दिया जायेगा।

आज दिनांक 24 फरवरी, 2000 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हिरा लाल,
महायक समाहर्ता,
द्वितीय श्रेणी, मुन्दरनगर (हि 0 प्र 0)।

In the Court of Shri Padam Singh, Sub-Judge Ist Class,
Rampur Bushahr, District Shimla (H. P.)

In re :-

Case No. 2-2 of 20 0.

1. Kunti Devi widow of Shri Rattan Sagar, 2. Smt. Anjna Devi, Daughter of late Shri Rattan Sagar (minor) aged 14 years through her mother Smt. Kunti Devi, the petitioner No. 1 the next friend, both residents of village Nirsu, Tehsil Rampur, District Shimla, Himachal Pradesh
.. Petitioners.

Versus

General Public

.. Respondent.

PETITION FOR THE GRANT OF SUCCESSION CERTIFICATE UNDER SECTION 373 INDIAN SUCCESSION ACT, 1925 OF ESTATE OF SHRI RATTAN SAGAR OF VILLAGE NIRSU, TEHSIL RAMPUR.

Whereas in the above noted case petitioners have filed the petition in this Court for grant of succession Certificate and the same is fixed for 10-4-2000 for the service of General Public.

Hence this proclamation u/o 20, rule 5 (1-A) C.P.C. is hereby issued against the above noted respondent to appear before this Court on 10-4-2000 at 10 A.M. personally or through an authorised agent or pleader to defend the case failing which the above noted respondent shall be proceeded against *ex parte*.

Given under my hand and seal of this Court today 1st day of March, 2000.

Seal.

PADAM SINGH,
Sub-Judge Ist Class Rampur
Bushahr, District Shimla (H.P.).

In the Court of Shri Padam Singh, Sub Judge, Ist Class,
Rampur Bushahr, District Shimla (H.P.)

In re :

Case No.

72-1 of

1999.

Shri Virender Shah son of Shri Laxmi Prasad Jaishi, r/o village Bheri, Anchal Jazarkot, District Sutawali, Nepal Presently r/o care of Padam Dev Sharma, Dugi Riwani (Pipti) P. O. and Tehsil Rampur Bushahr, District Shimla, Himachal Pradesh
.. Plaintiff.

Versus

1. The Himachal Pradesh Board of School Education, Dharamshala, District Kangra, Himachal Pradesh through its Secretary

2. The General Public

.. Defendants.

SUIT FOR DECLARATION DECLARING THAT THE NAME OF THE FATHER OF THE PLAINTIFF IS LAXMI PRASAD JAISHI INSTEAD OF RAM BAHADUR SHAH AND THE ENTRIES TO THE PLAINTIFF BE RECORDED AS VIRENDER SHAH S/O SHRI LAXMI PRASAD JAISHI.

Whereas in the above noted case plaintiff has filed the case in this Court for suit for declaration and the same is fixed for 17-4-2000 for the service of Defendants.

Hence this proclamation u/o 20, rule 5 (1-A) C.P.C. is hereby issued against the above noted defendant No. 2 to appear before this Court on 17-4-2000 at 10 A.M. personally or through an authorised agent or pleader to defend the case failing which the above noted defendant No. 2 shall be proceeded against *ex parte*.

Given under my hand and seal of this court the 10th day of March, 2000.

Seal.

PADAM SINGH,
Sub-Judge Ist Class,
Rampur Bushahr, District Shimla
(H.P.)

व अदालत श्री डी 0 डी 0 शर्मा, उप-मण्डल दण्डाधिकारी (प्रा 0),
शिमला, जिला शिमला, हिमाचल प्रदेश

श्री गीत राम सुपुत्र श्री दयालू राम, निवासी ग्राम पटपाने,
डाकघर काली हट्टी, तहसील व जिला शिमला, हिमाचल प्रदेश।

बनाम

आम जनता

प्रार्थना-पत्र जेर घारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबा नाम व जन्म तिथि पंचायत अधिलक्ष म दर्ज करने बारे।

श्री गीता राम ने इस अदालत में एक आवेदन पत्र इस आशय के साथ गुजारा है कि उसके बेटे श्री हितेन्द्र कुमार का नाम तथा जन्म तिथि 04-03-1994 उनकी ग्राम पंचायत जेजर के अभिलेख में दर्ज नहीं कर रखी है अब नाम व जन्म ग्राम पंचायत में दर्ज करने की कृपा करें।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक के बेटे का नाम व जन्म उनकी ग्राम पंचायत जेजर के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 10-04-2000 तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव सम्बन्धित ग्राम पंचायत को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 10-03-2000 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ है।

मोहर।

डी0 डी0 शर्मा,
उपमण्डल-धिकारी (ग्रा0),
शिमला।

व अदालत श्री डी0 डी0 शर्मा, उप-मण्डल दण्डाधिकारी (ग्रामीण) शिमला, जिला शिमला, हिमाचल प्रदेश

श्री बलराज सुपुत्र श्री भगत राम, निवासी ग्राम चोबू, डाकघर क्यार कोटी, तहसील व जिला शिमला, हिमाचल प्रदेश।

बनाम
ग्राम जनता

प्रार्थना पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने बारे।

श्री बलराज ने इस अदालत में एक आवेदन पत्र इस आशय के साथ गुजारा है कि उनकी स्व० माता श्रीमति इन्दिरा देवी की मृत्यु 15-02-1980 उनकी ग्राम पंचायत बलदेया के अभिलेख में दर्ज नहीं कर रखी है। अब उनकी मृत्यु ग्राम पंचायत में दर्ज करने की कृपा करें।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक की माता की मृत्यु उनकी ग्राम पंचायत बलदेया के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 10-04-2000 तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव सम्बन्धित ग्राम पंचायत को मृत्यु तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 10-03-2000 को मेरे हस्ताक्षर व मोहर अदालत में सहित जारी हुआ है।

मोहर।

डी0 डी0 शर्मा,
उप मण्डल-धिकारी (ग्रा0),
जिला शिमला।

व अदालत श्री डी0 डी0 शर्मा, उप-मण्डल दण्डाधिकारी (ग्रामीण), शिमला, जिला शिमला, हिमाचल प्रदेश

श्री रमेश कुमार सुपुत्र श्री नोख राम, निवासी ग्राम जाण्डल, डाकघर बमस्तपुर, तहसील मुन्नी, जिला शिमला, हिमाचल प्रदेश।

बनाम
ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने बारे।

श्री रमेश कुमार ने इस अदालत में एक आवेदन-पत्र इस आशय के साथ गुजारा है कि उसके बेटे श्री नरुण कुमार का नाम तथा जन्म तिथि 20-11-1995 उनकी ग्राम पंचायत बमस्तपुर के अभिलेख में दर्ज नहीं कर रखी है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक के बेटे का नाम व जन्म तिथि उनकी ग्राम पंचायत बमस्तपुर के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 10-04-2000 तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव सम्बन्धित ग्राम पंचायत को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 10-3-2000 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ है।

मोहर।

डी0 डी0 शर्मा,
उप-मण्डल-धिकारी (ग्रा0),
शिमला।

व अदालत श्री डी0 डी0 शर्मा, उप-मण्डल दण्डाधिकारी, (ग्रामीण) शिमला, जिला शिमला, हिमाचल प्रदेश

श्री मुख राम सुपुत्र श्री मन्त राम, निवासी ग्राम व डाकघर घनाहट्टी, तहसील व जिला शिमला, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने बारे।

श्री मुख राम ने इस अदालत में एक आवेदन-पत्र इस आशय के साथ गुजारा है कि उसकी बेटो कुमारी दीक्षा का नाम व जन्म तिथि 4-4-1994 उनकी ग्राम पंचायत घनाहट्टी के अभिलेख में दर्ज नहीं कर रखी है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक की बेटो का नाम व जन्म तिथि उनकी ग्राम पंचायत घनाहट्टी के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 10-4-2000 तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा सचिव सम्बन्धित ग्राम पंचायत को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 10-3-2000 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ है।

मोहर।

डी0 डी0 शर्मा,
उप-मण्डल-धिकारी (ग्रा0),
शिमला।

व अदालत श्री डी0 डी0 शर्मा, उप-मण्डल दण्डाधिकारी (ग्रामीण), शिमला, जिला शिमला, हिमाचल प्रदेश

राज कुमार

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री राज कुमार ने इस अदालत में एक आवेदन-पत्र इस आशय के साथ गुजारा है कि उनकी बेटो कुमारी मुनाली का नाम व जन्म तिथि 15-09-1998 उनकी ग्राम पंचायत मुन्नी के अभिलेख

में दर्ज नहीं कर रखी है। वह उसका नाम व जन्म तिथि नगर पंचायत सुन्नी के अभिलेख में दर्ज की जाए।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि किसी को भी उक्त आवेदक की बेटी का नाम व जन्म तिथि नगर पंचायत सुन्नी के अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 9-04-2000 तक या उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा मजिद मन्बन्धित ग्राम पंचायत को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 9-02-2000 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी हुआ है।

मोहर।

डी० डी० शर्मा,
उप-मण्डल दण्डाधिकारी, (ग्रामीण),
शिमला।

व अदालत श्री डी० डी० शर्मा, उप-मण्डल दण्डाधिकारी (ग्रामीण)
शिमला, जिला शिमला, हिमाचल प्रदेश

श्री गीता राम पुत्र श्री लख राम, निवासी ग्राम नलचाल, डाकघर
चैली वाया ममस्हील, शिमला-117005।

बनाम

ग्राम जनता

प्रार्थना पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधि-
नियम, 1969 बागत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने
बारे।

श्री गीता राम ने इस अदालत में एक आवेदन पत्र इस आशय के साथ
गुजारा है कि उसके बेटे श्री विशाल कुमार का नाम व जन्म तिथि
15-02-1995 उनकी ग्राम पंचायत चैली के अभिलेख में दर्ज नहीं
कर रखी है अब दर्ज की जाये।

अतः इस अदालती इशतहार द्वारा सर्व-साधारण को सूचित किया जाता
है कि यदि किसी को भी उक्त आवेदक के बेटे का नाम व जन्म तिथि
उनकी ग्राम पंचायत चैली के अभिलेख में दर्ज करने में कोई आपत्ति हो तो
वह अपना आपत्तिनामा दिनांक 10-04-2000 तक या उससे पूर्व इस
अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्यथा मजिद मन्बन्धित
ग्राम पंचायत को नाम व जन्म तिथि उनकी पंचायत के अभिलेख में
दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 10-3-2000 को मेरे हस्ताक्षर व मोहर अदालत
सहित जारी हुआ है।

मोहर।

डी० डी० शर्मा,
उप-मण्डल दण्डाधिकारी (ग्राम),
शिमला।

व अदालत श्री राहुल आनन्द, भा० प्र० से०, उप-मण्डल दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर, हिमाचल प्रदेश

श्री महेश आर्य पुत्र जसवंत सिंह, निवासी बट्टीपुर, तहसील पांवटा,
जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

श्री महेश आर्य पुत्र जसवंत सिंह, निवासी बट्टीपुर ने इस अदालत
में एक प्रार्थना-पत्र गुजारा है कि उसके लड़के हिमाशू
का जन्म दिनांक 3-11-1996 को हुआ था परन्तु अज्ञानतावश वह
उसकी जन्म तिथि ग्राम पंचायत/नगरपालिका परिषद् पांवटा के रिकार्ड
में दर्ज नहीं करा सका।

अतः सर्वसाधारण को इस इशतहार के माफत सूचित किया जाता
है कि इस बारे यदि किसी को कोई उजर व एतराज हो तो वह
दिनांक 11-4-2000 को प्रातः 10.00 बजे अदालत हजा स्थित
पांवटा में असालतन या बकालतन हाजिर आकर दर्ज करा सकता
है निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने की
सूरत में प्रार्थना-पत्र श्री महेश आर्य पर नियमानुसार कार्यवाही की
जाएगी।

आज दिनांक 13-3-2000 को मेरे हस्ताक्षर व कार्यालय मोहर
अदालत द्वारा जारी किया गया।

मोहर।

राहुल आनन्द, भा० प्र० से०,
उप-मण्डल दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर,
हिमाचल प्रदेश।

व अदालत श्री राहुल आनन्द, भा० प्र० से०, उप-मण्डल दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर, हिमाचल प्रदेश।

श्री लेख राम पुत्र श्री मंगी राम, निवासी व्यास, तहसील पांवटा,
जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

श्री लेख राम पुत्र मंगी राम, निवासी व्यास ने इस अदालत
में प्रार्थना-पत्र गुजारा है कि उसकी लड़की ललिता का जन्म दिनांक
12-4-1997 को हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि
ग्राम पंचायत व्यास के रिकार्ड में दर्ज नहीं करा सका।

अतः सर्व-साधारण को इस इशतहार के माफत सूचित किया जाता है
कि इस बारे किसी को कोई उजर/एतराज हो तो वह दिनांक
11-4-2000 को प्रातः 10.00 बजे अदालत हजा स्थित पांवटा में
असालतन या बकालतन हाजिर आकर दर्ज करा सकता है। निर्धारित
अवधि के पश्चात् कोई आपत्ति प्राप्त न होने की सूरत में प्रार्थना-
पत्र श्री लेख राम पर नियमानुसार कार्यवाही कर दी जाएगी।

आज दिनांक 13-3-2000 को मेरे हस्ताक्षर व मोहर अदालत
से जारी हुआ।

मोहर।

राहुल आनन्द, भा० प्र० से०,
उप-मण्डल दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर (हि० प्र०)।

व अदालत श्री राहुल आनन्द, भा० प्र० से०, उप-मण्डल दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर, हिमाचल प्रदेश

श्री नरपाल सिंह पुत्र सरवन सिंह, डाकखाना शूनखेड़ा, तहसील
पांवटा, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

श्री नरपाल सिंह पुत्र सरवन सिंह, डाकखाना शूनखेड़ा, तहसील
पांवटा ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके
लड़के अमन सिंह का जन्म दिनांक 21-11-98 को हुआ था

परन्तु अज्ञानतावश वह उसकी जन्म तिथि ग्राम पंचायत बट्टीपुर नगरपालिका परिषद् के रिकार्ड में दर्ज नहीं कर सका।

अतः सर्वसाधारण को इस इशतहार के माफत सूचित किया जाता है कि इस बारे किसी को कोई उज्जर/एतराज हो तो वह दिनांक 17-4-2000 को प्रातः 10.00 बजे अदालत हजा स्थित पांवटा में असालतन या बकालतन हाजिर आकर दर्ज करा सकता है निर्धारित अवधि के पश्चात कोई आपत्ति प्राप्त ना होने की सूत्र में प्रार्थना-पत्र श्री नरपाल सिंह पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 16-3-2000 को मेरे हस्ताक्षर व कार्यालय मोहर अदालत द्वारा जारी किया गया।

मोहर।

राहुल आनन्द, भा0 प्र0 से0,
उप मण्डल दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर,
हिमाचल प्रदेश।

ब अदालत कार्यकारी दण्डाधिकारी रोहटाट, जिला सिरमौर, हिमाचल प्रदेश

श्रीबलवन्त सिंह पुत्र भूप सिंह, निवासी ग्राम चाकला, उप-तहसील रोहटाट, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

विषय :- जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969।

नोटिस बनाम ग्राम जनता।

उपरोक्त प्रार्थी ने कार्यालय हजा में प्रार्थना-पत्र दिया है कि उसकी लड़की की जन्म तिथि 11-1-1996 है जो ग्राम पंचायत रजिस्टर के अभिलेख में दर्ज नहीं है। अतः प्रार्थी अपनी लड़की कुमारी सीमा देवी की उचित जन्म तिथि 11-1-1996 पंचायत अभिलेख में दर्ज करवाना चाहता है।

अतः इस इशतहार राजपल के द्वारा ग्राम जनता को सूचित किया जाता है कि प्रार्थी द्वारा अपनी पुत्री कुमारी सीमा देवी की जन्म तिथि, जो कि 11-1-1996 है, पंचायत अभिलेख रास्त में दर्ज करवाने बारे यदि कोई एतराज हो तो वह मेरी अदालत में दिनांक 07-4-2000 को सुबह 10.00 बजे हाजिर आकर अपना उज्जर पेश करें अन्यथा उचित कार्यवाही अमल में लाई जाएगी।

आज दिनांक 3-2-2000 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
कार्यकारी दण्डाधिकारी, रोहटाट,
जिला सिरमौर, हिमाचल प्रदेश।

ब अदालत श्री एल0 आर0 झामटा, उप-मण्डलाधिकारी राजगढ़, जिला सिरमौर, हिमाचल प्रदेश

श्रीमती कौशल्या देवी पत्नी श्री मोहन लाल, निवासी शलाम, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म/मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती कौशल्या देवी पत्नी श्री मोहन लाल, निवासी शलाम, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसकी अपनी कौशल्या देवी की जन्म तिथि 4-1-1968 है जिसका नाम ग्राम पंचायत करगाणू, तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह इस तिथि 17-4-2000 को या उससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने बारा आदेश जारी कर दिए जायेंगे।

मोहर।

एल0 आर0 झामटा,
उप-मण्डलाधिकारी,
राजगढ़, जिला सिरमौर,
हिमाचल प्रदेश।

ब अदालत श्री एल0 आर0 झामटा, उप मण्डलाधिकारी, राजगढ़ जिला सिरमौर, हिमाचल प्रदेश

श्री रन बहादुर पुत्र श्री बल बहादुर, निवासी कडयूत, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधिनियम, 1969.

श्री रन बहादुर पुत्र श्री बल बहादुर, निवासी कडयूत, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसकी अपनी जन्म तिथि 5-4-1952 है जिसका नाम ग्राम पंचायत शलाना, तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि 17-4-2000 को या उससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने बारा आदेश जारी कर दिए जाएंगे।

मोहर।

एल0 आर0 झामटा,
उप मण्डलीय दण्डाधिकारी,
राजगढ़, जिला सिरमौर।

ब अदालत श्री एल0 आर0 झामटा, उप मण्डलाधिकारी, राजगढ़ जिला सिरमौर, हिमाचल प्रदेश

श्री बाबू राम पुत्र श्री मीमा राम, निवासी कुईल मझोटली, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री बाबू राम पुत्र श्री मीमा राम, निवासी कुईल मझोटली, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसकी अपनी जन्म तिथि 20-5-1974 है जिसका नाम ग्राम पंचायत लाना बाका, तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व जन्म तिथि पंचायत रिकार्ड में दर्ज करने बारे किसी को कोई उज्जर हो तो वह तिथि 17-4-2000 को या उससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने बारा आदेश जारी कर दिए जाएंगे।

मोहर।

एल0 आर0 झामटा,
उप-मण्डलीय दण्डाधिकारी,
राजगढ़, जिला सिरमौर।

ब अदालत श्री एल० आर० झामटा, उप-मण्डलाधिकारी, राजगढ़,
जिला सिरमौर, हिमाचल प्रदेश

श्री बहादुर सिंह पुत्र श्री धौलू राम, निवासी धामना, तहसील
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश

बनाम
ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु रजिस्ट्रीकरण
अधिनियम, 1969.

श्री बहादुर सिंह पुत्र श्री धौलू राम, निवासी धामना, तहसील
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश
की है कि उसके पड़पौत्रों रघुवीर, रणवीर सिंह का जन्म
13-1-1995 व 20-1-1998 को हुआ है जिसका नाम ग्राम पंचायत
शाया सनौरा, तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती ईशतहार द्वारा सर्वसाधारण जनता को सूचित
किया है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड में दर्ज करने
बारे किसी को कोई भी एतराज हो तो वह इस तिथि 17-4-2000
को या उससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है
अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथियां दर्ज
करने बारा आदेश जारी कर दिए जाएंगे।

मोहर।

एल० आर० झामटा,
उप-मण्डलीय दण्डाधिकारी,
राजगढ़, जिला सिरमौर।

ब अदालत श्री एल० आर० झामटा, उप-मण्डलाधिकारी, राजगढ़,
जिला सिरमौर (हि० प्र०)

श्रीमती मिनाक्षी पत्नी श्री लालवीर, निवासी राजगढ़, तहसील
राजगढ़, जिला सिरमौर (हिमाचल प्रदेश)

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दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु रजिस्ट्रीकरण
अधिनियम, 1969.

श्रीमती मिनाक्षी पत्नी श्री लालवीर, निवासी राजगढ़, तहसील
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश
की है कि उसके पुत्र शिवम की जन्म तिथि 5-7-1998 है जिसका
नाम व जन्म तिथि नगर पंचायत राजगढ़, तहसील राजगढ़ में दर्ज
नहीं है।

अतः इस अदालती ईशतहार द्वारा सर्व साधारण को सूचित किया
जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन० ए० सी०
रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह इस
तिथि 17-4-2000 को या उससे पूर्व हाजिर होकर अपना
एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को
उक्त नाम व जन्म तिथि बारा आदेश जारी कर दिए जाएंगे।

मोहर।

एल० आर० झामटा,
उप-मण्डलीय दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि० प्र०)।

ब अदालत श्री एल० आर० झामटा, उप-मण्डलाधिकारी राजगढ़,
जिला सिरमौर (हि० प्र०)

श्रीमती कांता देवी पुत्री श्री दिला राम, निवासी धनेच मतिथाना,
तहसील राजगढ़, जिला सिरमौर (हि० प्र०)

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ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु रजिस्ट्रीकरण,
अधिनियम, 1969.

श्रीमती कांता देवी पुत्री श्री दिला राम, निवासी धनेच मतिथाना,
तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में
गुजारिश की है कि उसकी माता श्रीमती सत्या देवी की मृत्यु
तिथि 18-11-1996 है जिसका इन्दाज नाम ग्राम पंचायत
धनेच सनौरा, तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती ईशतहार द्वारा सर्वसाधारण जनता को सूचित
किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन०
ए० सी० रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह
इस तिथि 17-4-2000 को या उससे पूर्व हाजिर होकर अपना
एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को
उक्त नाम व मृत्यु तिथि दर्ज करने बारा आदेश जारी कर दिए
जायेंगे।

मोहर।

एल० आर० झामटा,
उप-मण्डलीय दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि० प्र०)।

ब अदालत श्री एल० आर० झामटा, उप-मण्डलाधिकारी, राजगढ़,
जिला सिरमौर (हि० प्र०)

श्री नरंजन सिंह पुत्र श्री नूर सिंह, निवासी भैलन, तहसील पच्छाद,
जिला सिरमौर (हिमाचल प्रदेश)।

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ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधिनियम,
1969.

श्री नरंजन सिंह पुत्र श्री नूर सिंह, निवासी भैलन, तहसील
पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की
है कि उसके पुत्र जगदीश सिंह की जन्म तिथि 10-10-1995
है। जिसका नाम ग्राम पंचायत भैलन, तहसील पच्छाद में
दर्ज नहीं हुआ है।

अतः इस अदालती ईशतहार द्वारा सर्वसाधारण जनता को सूचित
किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/
एन० ए० सी० रिकार्ड में दर्ज करने बारे किसी को कोई एतराज
हो तो वह इस तिथि 17-4-2000 को या उससे पूर्व हाजिर
हो कर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित
पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने बारे
आदेश जारी कर दिए जाएंगे।

मोहर।

एल० आर० झामटा,
उप-मण्डलीय दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि० प्र०)।

ब अदालत श्री एल० आर० झामटा, उप-मण्डलाधिकारी, राजगढ़,
जिला सिरमौर

श्री अशोक शर्मा पुत्र श्री सुन्दर सिंह, निवासी कनलोग, तहसील
पच्छाद, जिला सिरमौर (हिमाचल प्रदेश)

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

श्री अशोक शर्मा पुत्र श्री सुन्दर सिंह, निवासी कनलोग, तहसील
पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में
गुजारिश की है कि उसकी पुत्री निधी शर्मा का जन्म
5-2-1995 को हुआ है जिसका नाम ग्राम पंचायत सम्बन्धित
तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस अदालती ईशतहार द्वारा सर्वसाधारण जनता को सूचित
किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/

एन0 ए0 सी रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि 17-4-2000 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने बारा आदेश जारी कर दिए जाएंगे।

सोहर।

एल0 आर0 झामटा,
उप-मण्डलीय दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

व अदालत श्री एल0 आर0 झामटा, उप-मण्डलाधिकारी, राजगढ़, जिला सिरमौर

श्री जगमोहन पुत्र श्री चन्दन सिंह, निवासी कम्डा, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

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ग्राम जनता

दख्खास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री जगमोहन सिंह पुत्र श्री चन्दन सिंह, निवासी काण्डा, तहसील राजगढ़, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसकी चाचा/ताई श्रीमती दया देवी की मृत्यु तिथि 15-11-1997 को हुई है जिसका इन्दाज ग्राम पंचायत छोगटालो, तहसील राजगढ़ में दर्ज नहीं हुआ है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0 ए0 सी0 रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि 17-4-2000 को या उससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व मृत्यु तिथि दर्ज करने बारा आदेश जारी कर दिए जाएंगे।

सोहर।

एल0 आर0 झामटा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

व अदालत श्री एल0 आर0 झामटा, उप-मण्डलाधिकारी, राजगढ़, जिला सिरमौर

श्रीमती पुष्पा देवी विधवा श्री प्रितम सिंह, निवासी गुन्दल, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम
ग्राम जनता

दख्खास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती पुष्पा देवी विधवा श्री प्रितम सिंह, निवासी गुन्दल, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसके पुत्र अरुण कुमार का जन्म 08-02-1994 को हुआ है जिसका नाम ग्राम पंचायत बागथन तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0 ए0 सी0 रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि 17-4-2000 को या इससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने बारा आदेश जारी कर दिए जाएंगे।

सोहर।

एल0 आर0 झामटा,
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर (हि0 प्र0)।

व अदालत श्री एल0 आर0 झामटा, उप-मण्डलाधिकारी, राजगढ़ जिला सिरमौर, हिमाचल प्रदेश

श्री नन्द लाल पुत्र श्री नेतर सिंह, निवासी क्यारी, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम
ग्राम जनता

दख्खास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण अधिनियम, 1969.

श्री नन्द लाल पुत्र श्री नेतर सिंह, निवासी क्यारी, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसके पुत्रों कपिल व ललित को जन्म तिथियां 14-4-1993 व 26-10-1996 हैं लेकिन जिनका नाम ग्राम पंचायत कयाड़, तहसील पच्छाद में दर्ज नहीं हुआ है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0 ए0 सी0 रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि 17-4-2000 को या उससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने बारा आदेश जारी कर दिए जाएंगे।

सोहर।

एल0 आर0 झामटा,
उप-मण्डलाधिकारी,
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

व अदालत श्री एल0 आर0 झामटा, उप-मण्डलाधिकारी, राजगढ़ जिला सिरमौर, हिमाचल प्रदेश

श्री प्रेम सिंह पुत्र श्री रूप राम, निवासी उफड़, तहसील पच्छाद, डाकखाना कालाघाट, जिला सिरमौर, हिमाचल प्रदेश।

बनाम
ग्राम जनता

दख्खास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण, अधिनियम, 1969.

श्री प्रेम सिंह पुत्र श्री रूप राम, निवासी उफड़, डाकखाना कालाघाट, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ने इस कार्यालय में गुजारिश की है कि उसकी आंजी 20-6-77 की जन्म तिथि गलत दर्ज हुई है जिसका नाम ग्राम पंचायत कोसला पंजोला, तहसील पच्छाद में दर्ज गलत हुआ है जबकि जन्म तिथि 30-6-1975 है।

अतः इस अदालती इस्तहार द्वारा सर्वसाधारण जनता को सूचित किया जाता है कि यदि उक्त नाम व तिथि पंचायत रिकार्ड/एन0 ए0 सी0 रिकार्ड में दर्ज करने बारे किसी को कोई एतराज हो तो वह तिथि 17-4-2000 को या उससे पूर्व हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सम्बन्धित पंचायत सचिव को उक्त नाम व जन्म तिथि दर्ज करने बारा आदेश जारी कर दिए जाएंगे।

सोहर।

एल0 आर0 झामटा,
उप-मण्डलाधिकारी, राजगढ़,
जिला सिरमौर, हिमाचल प्रदेश।

व अदालत श्री एल0 आर0 झामटा, उप-मण्डलीय दण्डाधिकारी राजगढ़, जिला सिरमौर (हि0 प्र0)

श्रीमति कुशला देवी पत्नी कुन्दन सिंह, ग्राम गार्यों, डा0 बनाह की सेर, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश।

बनाम
ग्राम जनता

प्रार्थना-पत्र बाबत नाम परिवर्तन

श्रीमति कुशला देवी उर्फ सुमित्रा देवी पति कुन्दन सिंह, ग्राम निवासी गार्यों डा0 बनाह की सेर, तहसील पच्छाद, जिला सिरमौर

हिमाचल प्रदेश ने एक प्रार्थना-पत्र ब्यान हल्की सहित प्रस्तुत करके प्रार्थना की है कि उसका प्रचलित नाम कुशला देवी है। किन्तु पंचायत रिकार्ड में मुमिता देवी दर्ज है जिसे वह सही करवाना चाहती है। वह अपना नाम पंचायत रिकार्ड में कुशला देवी ही दर्ज करवाना चाहती है।

लिहाजा सर्व साधारण जनता को इस इशतहार द्वारा सूचित किया जाता है कि उक्त नाम बारे किसी को कोई उजर/एतराज हो तो वह अपना उजर/एतराज दिनांक 7-4-2000 को या इससे पूर्व अधोहस्ताक्षरी के न्यायालय में हाजिर होकर प्रस्तुत करें। अन्यथा नाम परिवर्तन बारे आदेश जारी कर दिए जाएंगे।

आज दिनांक 7-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
उप-मण्डल दण्डाधिकारी,
राजगढ़, जिला सिरमौर, हिमाचल प्रदेश।

ब अदालत श्री पी० डी० चौधरी, उप-मण्डल मैजिस्ट्रेट अर्की, जिला सोलन, हिमाचल प्रदेश

श्री मोहन सिंह पुत्र श्री खजान सिंह, निवासी गांव खनोल (झांडी), तहसील अर्की, जिला सोलन, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म व मृत्यु पंजीकरण अधिनियम, 1969.

प्रार्थी उपरोक्त ने इस अदालत में प्रार्थना-पत्र दिया है कि उसकी पुत्री बन्दना का जन्म दिनांक 18-12-1996 को हुआ था मगर ग्राम पंचायत के रिकार्ड में दर्ज नहीं है। अब दर्ज करने के आदेश जारी किये जावें।

अतः इस इशतहार राजपत्र हिमाचल प्रदेश द्वारा ग्राम जनता को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 07-04-2000 को सुबह 10 बजे अदालतन या वकालतन हाजिर आकर प्रस्तुत कर सकता है। बाद गुजरन मियाद कोई भी उजर या एतराज समाप्त न होगा तथा बन्दना की जन्म तिथि दर्ज करने वाले आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 23-02-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
पी० डी० चौधरी,
उप-मण्डल मैजिस्ट्रेट अर्की, जिला सोलन
हिमाचल प्रदेश।

ब अदालत श्री अरुण भारद्वाज, कार्यकारी दण्डाधिकारी, कण्डाघाट, जिला सोलन हिमाचल प्रदेश

श्री मुनील दत्त पुत्र श्री गोरखिया राम, निवासी ग्राम बोधन तहसील कण्डाघाट जिला सोलन, हिमाचल प्रदेश।

बनाम

सर्व साधारण

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969.

श्री मुनील दत्त पुत्र श्री गोरखिया राम, निवासी ग्राम बोधन तहसील कण्डाघाट, जिला सोलन, हिमाचल प्रदेश ने इस न्यायालय में अपयपत्र सहित प्रार्थना-पत्र दिया है कि उसके पुत्र कान्तिक चौहान

की जन्म तिथि 2-2-1997 है का जन्म उपरोक्त गांव में हुआ है लेकिन जन्म तिथि समय पर ग्राम पंचायत कोट के अभिलेख में दर्ज नहीं है, अब दर्ज करने के आदेश जारी किये जावें।

अतः इस इशतहार द्वारा सर्व साधारण एवं ग्राम जनता को सूचित किया जाता है कि यदि किसी भी व्यक्ति/रिश्तेदार को इस बारे कोई उजर या एतराज हो तो वह दिनांक 7-4-2000 को प्रातः 10.00 बजे सुबह या इससे पूर्व अदालतन या वकालतन हाजिर अदालत आकर अपने एतराज पेश कर सकता है अन्यथा कार्यवाही एक तरफा अमल में लाई जावेगी तथा उपरोक्त बच्चे का नाम व जन्म तिथि सम्बन्धित पंचायत के रजिस्ट्रार जन्म एवं मृत्यु को दर्ज करने वाले आदेश जारी कर दिये जाएंगे।

आज दिनांक 3-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

अरुण भारद्वाज,
कार्यकारी दण्डाधिकारी,
कण्डाघाट, जिला सोलन, हिमाचल प्रदेश।

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, तहसील व जिला ऊना (हि० प्र०)

मुकद्दमा : जन्म तिथि प्रमाण-पत्र।

मेहर चन्द बनाम ग्राम जनता जनकौर

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम जनता ग्राम

श्री मेहर चन्द पुत्र विशन दास निवासी गांव जलगां टब्बा तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसकी पुत्री मुनीता कुमारी का नाम पंचायत रजिस्ट्रार में गलती से दर्ज न करवाया जा सका है और अब करवाया जावे। इसके पुत्र की जन्म तिथि 13-9-1994 है तथा बच्चे का जन्म गांव जनकौर है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज करवाने बारे कोई उजर/आपत्ति हो तो वह दिनांक 7-4-2000 को प्रातः दस बजे स्वयं अथवा अभिलतन या वकालतन इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश जारी कर दिये जाएंगे।

आज दिनांक 6-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी
दण्डाधिकारी, ऊना।

ब अदालत नायब तहसीलदार-एवं-कार्यकारी दण्डाधिकारी, ऊना तहसील व जिला ऊना (हि० प्र०)

मुकद्दमा : जन्म तिथि प्रमाण-पत्र।

मेहर चन्द बनाम ग्राम जनता जनकौर।

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969.

नोटिस बनाम ग्राम जनता

श्री मेहर चन्द पुत्र विशन दास निवासी गांव जलगां टब्बा तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसकी पुत्री रीता कुमारी का नाम पंचायत रजिस्ट्रार में गलती से

दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे इसकी पुत्री पुत्री की जन्म तिथि 31-12-1994 है तथा बच्चे का जन्म गांव जनकौर है ।

गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे । इसके पुत्र की जन्म तिथि 21-7-1995 है तथा बच्चे का जन्म गांव लमलैहड़ी है ।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज करवाने बारे कोई उजर/आपत्ति हो तो वह दिनांक 7-4-2000 को प्रातः दस बजे स्वयं अथवा असालतन या बकालतन इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश जारी कर दिये जाएंगे ।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज करवाने बारे कोई उजर/आपत्ति हो तो वह दिनांक 8-4-2000 को प्रातः दस बजे स्वयं अथवा असालतन या बकालतन इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश जारी कर दिये जाएंगे ।

आज दिनांक 6-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

आज दिनांक 13-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर
हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी ऊना, तहसील व जिला ऊना ।

मोहर
हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी ऊना, तहसील व जिला ऊना ।

ब अदालत नायब तहसील एवं कार्यकारी दण्डाधिकारी, ऊना तहसील व जिला ऊना, हिमाचल प्रदेश

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना तहसील व जिला ऊना, हिमाचल प्रदेश

मुकद्मा : जन्म तिथि प्रमाण-पत्र ।

मुकद्मा : जन्म तिथि प्रमाण-पत्र ।

दौलत राम बनाम आम जनता लमलैहड़ी

सोम नाथ बनाम आम जनता लमलैहड़ी

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता

नोटिस बनाम आम जनता

श्री दौलत राम पुत्र हरि राम, निवासी गांव लमलैहड़ी, तहसील व जिला ऊना न इस न्यायालय में दरखास्त दी है कि उसकी पुत्री अजना देवी का नाम पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे । इसकी पुत्री की जन्म तिथि 8-11-1996 है तथा बच्चे का जन्म गांव लमलैहड़ी है ।

श्री सोम नाथ पुत्र विशन चन्द निवासी गांव लमलैहड़ी, जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसके पुत्र पुशपिन्द्र सिंह का नाम पंचायत रजिस्टर में गलती से दर्ज ना करवाया जा सका है और अब दर्ज करवाया जावे । इसके पुत्र की जन्म तिथि 19-11-1995 है तथा बच्चे का जन्म गांव लमलैहड़ी है ।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज करवाने बारे कोई उजर/आपत्ति हो तो वह दिनांक 8-4-2000 को प्रातः दस बजे स्वयं अथवा असालतन या बकालतन इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश जारी कर दिये जाएंगे ।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज करवाने बारे कोई उजर/आपत्ति हो तो वह दिनांक 8-4-2000 को प्रातः दस बजे स्वयं अथवा असालतन या बकालतन इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश जारी कर दिये जाएंगे ।

आज दिनांक 8-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

आज दिनांक 8-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर
हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, तहसील व जिला ऊना ।

मोहर
हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश ।

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश

मुकद्मा : जन्म तिथि प्रमाण-पत्र ।

मुकद्मा : जन्म तिथि प्रमाण-पत्र ।

विजय कुमार बनाम आम जनता लमलैहड़ी

राम नसीब बनाम आम जनता ऊना

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता ।

नोटिस बनाम आम जनता

श्री विजय कुमार पुत्र रतन चन्द निवासी गांव समर कलां, तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसके पुत्र किशोर कुमार का नाम पंचायत रजिस्टर में

श्री राम नसीब पुत्र बहादुर राम निवासी गांव ऊना, तहसील व जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसकी पुत्री ममता का नाम पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे । इसकी पुत्री की जन्म तिथि 10-12-1992 है तथा बच्चे का जन्म गांव ऊना है ।

दर्ज करवाने बारे कोई उजर/आपत्ति हो तो वह दिनांक 8-4-2006 को प्रातः दस बजे स्वयं अथवा अधालतन या बकालतन इस अदालत में हाजिर आ कर पेश करें अन्यथा एकतरफा कियवाही अमल लाई जाकर प्रमाण-पत्र जारी करने के आदेश जारी कर दिये जाएंगे।

आज दिनांक 8-3-2000 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

हस्ताक्षरित/-

नायब तहसीलदार एवं कार्यकारी
दण्डाधिकारी, ऊना, तहसील व जिला ऊना,
हिमाचल प्रदेश।

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, जिला ऊना, हिमाचल प्रदेश

मकद्वसा : जन्म तिथि प्रमाण-पत्र ।

करमी देवी वनाम आम जनता चढतगढ ।

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम,
1969.

नोटिस बनाम आम जनता

श्रीमती करमी देवी पुत्री मंगत राम, निवासी गांव चडतगढ़, तहसील व जिला ऊना न इत न्यायालय में दरखास्त दी है कि उसके पुत्र विजयकुमार नैयर का नाम पंजीयत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे। इसमें पुत्र की जन्म तिथि 25-11-1973 है तथा बाबू का जन्म गांव चडतगढ़ है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिस्ते-
दारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज
करवाने वारे कोई उर्ज़र/आपत्ति हो तो वह दिनांक 9-4-2000
को प्राप्त इस बजे स्थयं अथवा असावलतन या वकालतन इस अदालत
में हाज़िर आ कर पेश करें अन्यथा एकतपका कार्यवाही अमल में लाई
जाकर प्रमाण-पत्र जारी करने क प्रादेश जारी कर दिया जायेगा ।

आज दिनांक 8-3-2000 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

हस्ताक्षरित/-

मोहर ।

हस्ताक्षरित/-
नाथब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश ।

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना
तहसील व जिला ऊना, हिमाचल प्रदेश

मकहमा : जन्म तिथि प्रमाण-पत्र ।

राम नसीब बनाम ग्राम जनता ऊना

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम,
1969.

નોટિસ બતામ આમ જવતા

श्री राम तमोव पुत्र बहादुर राम, निवासी गांव ऊना, तहसील व
जिला ऊना ने इस न्यायालय में दखवास्त दी है कि उसकी पुत्री, रखा
का नाम पंवास्त रजिस्टर में गलती से दर्ज न करवाया जा सका
है और अब दर्ज करवाया जाने। इसकी पुत्री की जन्म तिथि 21-9-1997
है तथा बच्चे का जन्म गांव ऊना है।

प्रतः इस नोटिस के माध्यम से सम्स्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उत्का नाम दर्न करवाने बारे कोई उजर/प्राप्ति हो तो वह दिनांक 7-4-2000 को प्रातः दस बज स्वयं ग्रथना ग्रशालित या वकालत

इस अदालत में हाजिर आकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने कर दिये जाएंगे।

आज दिनांक 1-3-2000 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

हस्ताक्षरित/-
नायब तहसीलदार एवं कार्यकारी
दण्डाधिकारी ऊना,
तहसील व जिला ऊना, हिमाचल प्रदेश।

व अदालत श्री एस0 पी0 जसवाल, कार्यकारी दण्डाधिकारी, इन्दौरा,
जिला कांगड़ा, हिमाचल प्रदेश

व मुकद्दमा :

श्रीमती तारा रानी विधवा राज कुमार, निवासी मण्ड टांडा, तहसील
इन्दौरा, जिला कांगड़ा .. प्रार्थी।

वनाम

ग्राम जनता

दख्खान्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

नोटिस बताना ग्राम जनता।

श्रीमती तारा रानी विधवा राज कुमार ने इस अदालत में दख्खान्त दी
है कि उसकी पुत्री कुमारी श्रीती का जन्म पंचायत रजिस्ट्रार में दर्ज नहीं
करवाया गया है। अब दर्ज किया जावे। उसकी पुत्री की जन्म तिथि
9-12-1985 है तथा बच्चे का जन्म दीगर गांव में हुआ है।

अतः इस नोटिस द्वारा समस्त जनता तथा सम्बन्धित रिश्तेदारों को
सूचित किया जाता है कि यदि किसी को इसका नाम दर्ज करने वाले
कोई आपत्ती या उजरत हो तो वह दिनांक 19-4-2000 समय प्रातः 10
बजे स्वयं अथवा किसी वांछित के माध्यम से हमारे समक्ष अदालत में
हाजिर होकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में लाई
जाएगी।

आज दिनांक 7-3-2000 को हमारे हस्ताक्षर व मोहर अदालत सहित
जारी हुआ।

मोहर।

एस0 पी0 जसवाल,
कार्यकारी दण्डाधिकारी,
इन्दौरा, जिला कांगड़ा,
हिमाचल प्रदेश।

व प्रदान श्री देविन्द्र सिंह चन्देल, महाश्वक समाहर्ता प्रथम श्रेणी,
(तहसीलदार) कल्पा, तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश

मुकद्दमा शोर्षक : तस्दीक इन्तकाल।

श्री हरमन सिंह पुत्र श्री पदम चन्द, निवासी ग्राम युवार्गिगो, तहसील
कल्पा, किन्नौर (हि0 प्र0)।

बनाम

ग्राम जनता

विवा. —प्रदान श्री इशतार गुमशुदा व्यक्ति (मकफूद-उल-खबरी)
श्री मोहिन्दर सिंह पुत्र श्री पदम चन्द, निवासी युवार्गिगो,
तहसील कल्पा, जिला किन्नौर, हिमाचल प्रदेश।

श्री हरमन सिंह पुत्र श्री पदम चन्द, निवासी ग्राम युवार्गिगो ने
अदालत हजा में एक प्रार्थना-पत्र गुजारा है कि उपरोक्त श्री मोहिन्दर
सिंह लगभग 30 सालों से लापता है। इस अरसा में उसका किसी भी
रिश्तेदारों, सगे सम्बन्धियों के साथ कोई भी पत्र व्यवहार नहीं हुआ है।
इस से प्रतीत होता है कि उपरोक्त मनोहर सिंह अब इस संसार में जीवित
नहीं है।

अतः इस इशतार द्वारा सूचित किया जाता है कि मनोहर सिंह
उपरोक्त की विरासत का इन्तकाल उसके जायज वारसान के ना
तस्दीक करन वाले किसी व्यक्ति को यदि कोई एतराज हो तो वह दिनांक
19-4-2000 को मेरी अदालत में अदालत या बकालत हाजिर हो कर
एतराज पेश कर सकता है। उक्त दिनांक के बाद किसी भी व्यक्ति व
एतराज नहीं सुना जायेगा व इन्तकाल मकफूद-उल-खबरी उसके जायज
वारसान के नाम तस्दीक कर दिया जायेगा।

आज दिनांक 23-2-2000 को मेरे हस्ताक्षर व मोहर अदालत
से जारी हुआ।

मोहर।

देविन्द्र सिंह चन्देल,
महाश्वक समाहर्ता प्रथम श्रेणी (तहसीलदार)
कल्पा, जिला किन्नौर,
हिमाचल प्रदेश

व अदालत श्री डी0 डी0 शर्मा, उप-मण्डल दण्डाधिकारी (ग्रामीण),
शिमला, जिला शिमला, हिमाचल प्रदेश

श्री गोपाल सिंह सुत्र श्री नील सिंह, निवासी ग्राम मन्वागन, डाक
घर काली हट्टी, तहसील व जिला शिमला, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम
1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने वाले।

श्री गोपाल सिंह ने इस अदालत में एक आवेदन पत्र इस आशय के सा
गुजारा है कि उसकी बेटी कुमारी सन्तोष कुमारी का नाम व जन्म ति
06-04-1994 उनकी ग्राम पंचायत कालीहट्टी के अभिलेख में दर्ज नहीं व
रखी है। वह उसकी जन्म तिथि ग्राम पंचायत में अब दर्ज की जाये

अतः इस अदालत द्वारा इशतार द्वारा सर्वे साधारण को सूचित कि
जाता है कि यदि किसी को भी उक्त आवेदक की बेटी का नाम व ज
तिथि उनकी ग्राम पंचायत कालीहट्टी के अभिलेख में दर्ज करने में क
आपत्ति हो तो वह अपना आपत्तिनामा दिनांक 10-04-2000 तक
उससे पूर्व इस अदालत में हाजिर होकर प्रस्तुत कर सकता है अन्य
मन्वि सम्बन्धित ग्राम पंचायत को नाम व जन्म तिथि उन
पंचायत के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 10-03-2000 को मेरे हस्ताक्षर व मोहर अदालत
सहित जारी हुआ है।

मोहर।

डी0 डी0 शर्मा,
उप मण्डलाधिकारी (ग्रामीण),
शिमला, हिमाचल प्रदेश।

व अदालत श्री डी0 डी0 शर्मा, उप मण्डल दण्डाधिकारी,
(ग्रामीण), शिमला, जिला शिमला, हिमाचल प्रदेश

श्री सतीश कुमार सुत्र श्री जैनी राम शर्मा, निवासी ग्राम फाग
डाकघर बायबड़ी, तहसील व जिला शिमला, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम
1969 बाबत नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने वाले

श्री सतीश कुमार ने इस अदालत में एक आवेदन पत्र इस आशय
साथ गुजारा है कि उसके बेटे व पत्नी का नाम श्रीमति सनेह लता व
का नाम शुभम शर्मा व जन्म तिथि 29-05-1996 ग्राम पंचायत बायब
के अभिलेख में दर्ज नहीं कर रखा है। अब दर्ज किया जावे।